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OF THE

ROYAL HISTORICAL SOCIETY

PRESIDENTIAL ADDRESS

BY THE RIGHT HON. SIR MOUNTSTUART E. GRANT DUFF, G.C.S.I., President.

Delivered February 1894

IN the old days when the Germanic Diet still sat at Frankfort, a statesman,[1] who then represented the power which was destined to sweep into nothingness that famous institution, told me that he always had a Tacitus by his bedside. 'Then,' I replied, 'you hardly agree with your distinguished countryman who called Tacitus a disappointed courtier.' 'If,' he rejoined, 'there were many courtiers like Tacitus, I should take care to frequent courts.'

That story came back to me last year when I was writing the address which I had the honour of delivering to you on the uses of Thucydides to the modern statesman, and I am not sure that I can do better than to try to answer this afternoon, with regard to the most interesting of Latin historians, the same question which I tried to answer last February with regard to the great Athenian.

On this occasion also I wish to narrow as much as possible the field of inquiry. I do not propose to enter at all into the question, so much discussed in recent years, of the trustworthiness of Tacitus as an historian. Many think, as you know, that he was especially unfair to Tiberius, and there is now, I suppose, no doubt that the Roman provinces were

[1] Count von Usedom.

particularly well governed by that much decried prince. Not a few in these days are inclined to prefer the view of his character which was taken by Tertullian to that which commended itself to Tacitus. Neither do I intend to go into the question of the value or want of value of the materials which the master used. It is clear that no ancient writer could come up to the standard of accuracy which is now insisted upon in historical composition, and we have only to be thankful for what we have got without sighing over the absence of what would have been better. Nor yet, again, shall I say anything about the literary merit of Tacitus considered purely from the literary side. He stands absolutely alone as the employer of the lapidary style in continuous writing; a style infinitely to be admired; never, without extreme peril, to be imitated. Balthasar Gracian has, so far as I know, come nearer to success in doing so than anyone else; but at what risk of obscurity let those say who have tried to translate him. In asking you to accompany me in a rapid journey through what the great Roman has left behind, I will invite you merely to look at those of his thoughts which seem to me to have a direct modern application, and only to a portion of them, by no means attempting to be exhaustive, but perhaps suggesting to someone the idea of a more complete survey upon the same lines.

Presuming, then, on your kind permission to do so, I will without further preface turn to the 'Annals.'

In the first book of that work there is but little of the sort of matter of which we are at this moment in search. Of course there are numerous striking phrases and passages. Even in the first chapter we have, for example, the well-known 'sine ira et studio,' and in the eighth there is the memorable account of the funeral of Augustus.

The whole of the narrative of the mutiny of the Pannonian and German legions might have been pondered over at various periods of recent history by those who had to occupy themselves with the discipline of armies. Even at that moment some portions of it might perhaps be studied

with advantage not far from the scenes in which its story is laid. I remember in the year 1879 a curious conversation with the notorious agitator Karl Marx. His idea was that the revolution for which he sighed would commence in Russia and spread thence to Germany. I said that the army would be strong enough to prevent that. 'You forget,' he replied, 'that these Socialists of whom you hear so often are as much trained soldiers as anyone else.' 'No doubt,' I rejoined, 'but, whatever may be their opinions, the habit of obedience is a tremendous power among soldiers.' 'Yes,' he answered, 'but the severity of the discipline in the German army leads to more suicides than take place in any other, and from shooting yourself to shooting your officer the step is not a long one.'

All the story of these mutinies as told by Tacitus is, I say, eminently worth reading, not only on account of its literary merit, but of its bearing upon affairs. The most notable thing however in the nature of a maxim for the guidance of statesmen which is to be found in the first book of the 'Annals' is unquestionably the golden dictum of Tiberius at the end of chapter seventy-three: 'Deorum injurias diis curæ.' What rivers of blood would not its frank acceptance have prevented! If he could only have got that idea into the minds of men, the gloomy tyrant of Capri, if such, indeed, he was, would have deserved a high place amongst the benefactors of mankind.

The second book contains in chapter thirty-three the remarkable speech of Gallus Asinius against sumptuary laws; a speech with which Tiberius, to his credit, seems to have agreed, but of which the historian obviously disapproved, for he says:

'Facilem adsensum Gallo, sub nominibus honestis, confessio vitiorum et similitudo audientium dedit.' 'The confession in decorous language of frailties with which his audience sympathised gained for Gallus a ready assent.'

In chapter fifty-nine we have, in relation to Egypt, the useful phrase, 'inter alia dominationis arcana.' And in the

sixty-third, speaking of Maroboduus, the words which have fitted so many :

'Multum inminuta claritate ob nimiam vivendi cupidinem.' 'His fame much lessened by his inordinate clinging to life.'

But perhaps the most pregnant reflection is that contained in the last lines of the eighty-eighth chapter, which recounts the end of Arminius :

'Septem et triginta annos vitæ, duodecim potentiæ explevit ; caniturque adhuc barbaras apud gentes : Græcorum annalibus ignotus, qui sua tantum mirantur : Romanis haud perinde celebris, dum vetera extollimus, recentium incuriosi.' 'He completed thirty-seven years of life, twelve of power, and is still sung by the bards of the barbarians. To the Greeks he is unknown, for they have no admiration for aught that is not theirs. To the Romans he is not as famous as he should be, thanks to our habit of extolling what is old and taking scant interest in recent events.'

We may think, when we recollect what Arminius has become to the modern German, of the lines in the 'New Timon' :

> What gives the past the haunting charms that please
> Sage, scholar, bard—the shades of men like these
> Seen in our walks, with vulgar blame or praise,
> Reviled or worshipped as our faction sways ?
> Some centuries hence and from that praise or blame
> As light from vapour breaks the steady flame,
> And the trite present, which while acted seems
> Life's dullest prose, fades in the land of dreams.

The third book is richer in the kind of material for which we are seeking. We have, for example, the words in chapter eighteen :

'Mihi, quanto plura recentium seu veterum revolvo, tanto magis ludibria rerum mortalium cunctis in negotiis obversantur : quippe fama, spe, veneratione, potius omnes destinabantur imperio, quam, quem futurum Principem fortuna in obculto tenebat.' To me the more I turn over in my mind occurrences

either ancient or modern, the more clearly does the sense of mockery in mortal things present itself; for assuredly whether by fame, by hope, or by veneration, almost everyone seemed destined for imperial power rather than the man whom Fortune, keeping her own secret, had determined on as the future Emperor.'

When we have eliminated from history

> the Virgilian cry,
> The sense of tears in mortal things,

and the 'ludibria' of this passage, a good deal no doubt remains; but how much, how very much, has gone!

Again in chapter nineteen we have:

'Adeo maxima quæque ambigua sunt, dum alii quoquo modo audita pro compertis habent; alii vera in contrarium vertunt: et gliscit utrumque posteritate.' 'So doubtful are all the greatest events that some hold as proved any rumour they have picked up, while others turn truth into the opposite of truth, and both versions go down with posterity.'

Compare the passage of Balthasar Gracian I quoted last year when speaking to you of the 'painfulness in the search after truth which characterised Thucydides': 'Do not be the slaves of first impressions. There are people who marry the very first account they hear, so that all the accounts that follow come to them only as mistresses.'

Then in the twenty-sixth chapter we have the statement of the historian's own view as to the origin of laws, a dream of dreams, but interesting as the germ of many errors. It will be remembered that it is in connection with this that occur the famous words at the end of chapter twenty-seven: 'Et conruptissima re publica plurimæ leges'—words which lent themselves, by the way, to a pun that may almost vie with Swift's immortal one when a lady's mantle had pulled down a valuable violin:

> Mantua væ miseræ nimium vicina Cremonæ.

The pun I refer to was made when someone was com-

plaining, justly or otherwise, of the nepotism of Lord Ellenborough, whose family name, you may recollect, was Law: 'Et conruptissima re publica plurimæ leges.'

Whether the words in the sense in which Tacitus used them are or are not applicable to the England of to-day is a question into which I will not enter.

In the thirtieth chapter comes the interesting statement about Sallustius Crispus and the decline of his power when he grew old, leading up to the remark:

'Idque et Mæcenati adciderat; fato potentiæ, raro sempiternæ, an satietas capit aut illos, quum omnia tribuerunt, aut hos, quum jam nihil reliquum est, quod cupiant.' 'This happened also to Mæcenas, for it is the fate of this kind of power rarely to continue in one stay, whether it be that satiety falls on the patron when he has no more to give or on the object of his favour when he has no more to wish for.'

Then, in chapter fifty-three and those which immediately follow it, is the extremely sensible letter of Tiberius about the hollowness of the outcry against luxury, and the interesting sentence at the end of chapter fifty-five:

'Nisi forte rebus cunctis inest quidam velut orbis, ut, quemadmodum temporum vices, ita morum vertantur; nec omnia apud priores meliora, sed nostra quoque ætas multa laudis et artium, imitanda posteris, tulit. Verum hæc nobis majores certamina ex honesto moveant.' 'Unless, indeed, it be that there is in all things a sort of cycle, and that manners come round like the changes of the seasons. Nor were all things better with those who went before, but our age too has had its share of deeds and arts which those who succeed us may rightly imitate. Long, however, may the example of our ancestors incite us to vie with them in all that is honourable.'

In chapter sixty-five Tacitus states to us his opinion as to the function of history:

'Quod præcipuum munus annalium reor, ne virtutes sileantur, utque pravis dictis factisque ex posteritate et

infamia metus sit.' 'The chief function of historical narratives is, I consider, to prevent virtuous men and things being buried in silence, and to warn men against evil words and deeds through fear of the infamy that may otherwise attend them with posterity.'

The care for the verdict of posterity has probably never been with men of action so strong an influence as the historian supposed, and I doubt if it ever was weaker than in the present day. Count over the men now directing the affairs of this empire. How many are there whose thoughts go, at the very furthest, an hour beyond the next election?

In the fourth book we have in chapter eleven a further illustration of the writer's idea:

'Mihi tradendi arguendique rumoris causa fuit, ut claro sub exemplo falsas auditiones depellerem, peteremque ab iis, quorum in manus cura nostra venerit, ne divulgata atque incredibilia, avide adcepta, veris neque in miraculum conruptis antehabeant.' 'My reason for handing down and confuting this rumour was that I might give a conspicuous example of the kind of unfounded stories which deserve only to be pooh-poohed, and to ask those into whose hands my work may come not to prefer incredible tales, however widely circulated or eagerly accepted, to those accounts which have not been tortured into monstrosity.'

In chapter eighteen occurs the very true reflection:

'Nam beneficia eo usque læta sunt, dum videntur exsolvi posse: ubi multum antevenere, pro gratia odium redditur.' 'For benefits delight as long as it seems possible to repay them, but when they have far passed that limit are apt to breed hatred rather than gratitude.'

Note, too, in chapter twenty-nine the weighty words used with reference to Serenus:

'Addideratque quædam contumacius, quam tutum apud aures superbas et obfensioni proniores.' 'And he had added some things conceived in too contumacious a spirit to be heard, with safety to the speaker, by the proud and easily offended ears of a despot.'

The whole of chapters thirty-two and thirty-four, containing the reflections of Tacitus on the melancholy character of the events which he had to relate as compared with those which had fallen to the lot of many of his predecessors, are worthy of study.

An interesting observation occurs at the end of chapter thirty-two:

'Non tamen sine usu fuerit, introspicere illa, primo adspectu levia, ex quis magnarum sæpe rerum motus oriuntur.' 'It will not, however, be otherwise than useful carefully to examine things which, of little account as they may seem at first sight, are nevertheless the germs out of which mighty changes take their rise.'

Very curious, too, is the sentence which immediately precedes this one, and which shows that, great as Tacitus was, his conception of what was really important in history is radically wrong. He thought his labours were inglorious because he had to tell of peace unbroken or only slightly disturbed; of misery in the capital and an emperor careless about enlarging the boundaries of the Empire. If such labour is 'in arcto et inglorius,' what is to be said of 'ingentia bella' and 'expugnationes urbium'?

In the speech of Cremutius Cordus occur two remarks of universal application at the end of chapters thirty-four and thirty-five respectively:

'Namque spreta exolescunt: si irascare, agnita videntur.' 'Insults which are treated with contempt soon get forgotten; if you get angry you seem to recognise them.'

'Nam contra, punitis ingeniis, gliscit auctoritas; neque aliud externi reges, aut qui eadem sævitia usi sunt, nisi dedecus sibi atque illis gloriam peperere.' 'The punishment of genius imperils authority. Foreign kings and all who have used cruelty to crush it have never gained anything save dishonour to themselves and glory to their victims.'

Then in chapter fifty-eight, when treating of the prediction of astrologers about the departure of Tiberius from Rome,

are the words, not without application to the illusions of the present day:

'Mox patuit breve confinium artis et falsi; veraque quam obscuris tegerentur.' 'It soon became clear by how narrow a line science is separated from imposture, and by how much darkness truth is hidden.'

In the second chapter of book five we have a phrase the timely recollection of which would have made a difference in many men's fortunes:

'Dicax idem et Tiberium acerbis facetiis inridere solitus, quarum apud præpotentes in longum memoria est.' 'He was a sayer of good things, too, and given to scoff at Tiberius with those bitter words which the mighty remember so long.'

The sixth book gives us the twenty-second chapter, in which, with reference to the prophecies of the astrologer Thrasyllus, Tacitus says:

'But to me listening to these and similar things it remains still a moot point whether human affairs are governed by haphazard or by fate and immutable necessity. Amongst the wisest of the ancients and those who follow their philosophy you will find quite opposite opinions, some being positive that the gods care not for our beginning nor for our end; do not indeed concern themselves about us at all; and for that reason sorrows in battalions come to the good and joys to the evil. Others, again, consider that there is indeed a kind of connection between fate and events, yet that it is not dependent upon wandering stars, but on causes of things and the connection and natural sequence of events which, strong as they are, leave us the power of choosing our own lives. Yet when the choice has once been made there is a fixed order of results from it.

'Neither are good and evil what the multitude fancies them to be. Many who seem to be fighting with adverse circumstances are happy, and very many altogether miserable although living in the midst of great wealth, if only those bear their hard fortune with constancy, and these make an unwise use of their prosperity. After all, however, most people cannot

get rid of the belief that the things which are to happen to each man are fixed from his birth, but that some things fall out differently from what has been predicted, thanks to the impostures of those who prophesy what they know not, and thus confidence is shaken in astrology, although both past ages and our own have given conspicuous testimonies to its truth.'

At the end of the thirty-ninth chapter are the words used with reference to Poppæus Sabinus, but which have fitted and will fit so many others:

'Maximisque provinciis per quatuor et viginti annos inpositus; nullam ob eximiam artem, sed quod par negotiis, neque supra erat.' 'Placed for four-and-twenty years over the greatest provinces, not on account of any extraordinary qualifications, but because he was equal to the details of business and not superior to them.'

In chapter forty-two we have the opinion of Tacitus about the comparative merits of a narrow oligarchy and of ancient democracy—democracy based, of course, upon a servile class:

'Nam populi imperium juxta libertatem; paucorum dominatio regiæ libidini propior est.' 'For the rule of the people comes near to liberty, while the domination of a few is more akin to the license which kings allow themselves.'

In the twenty-fourth chapter of the eleventh book we have the very sensible and curiously characteristic remarks of Claudius with reference to the policy of transferring to the city and its high places all conspicuous merit wherever met with. The last words of the chapter are very striking:

'Omnia, P. C., quæ nunc vetustissima creduntur, nova fuere: plebei magistratus post patricios: Latini post plebeios: ceterarum Italiæ gentium post Latinos. Inveterascet hoc quoque: et quod hodie exemplis tuemur, inter exempla erit.' 'All things which are now held to be most ancient were once new: magistrates chosen from the plebeians succeeded patrician magistrates, while magistrates chosen from the Latins succeeded them, and were in their turn followed by magistrates chosen from the other races of Italy. This, too,

will grow old, and what we are to-day supporting by precedents will become a precedent itself.'

Compare the words of Claudian :

> Hæc est in gremium victos quæ sola recepit
> Humanumque genus communi nomine fovit
> Matris non Dominæ ritu ; civesque vocavit
> Quos domuit ; nexuque pio longinqua revinxit.

In chapter eleven of book twelve we have the remark of Claudius which is not without its application to the England of our own day, as its converse explains to a great extent the unrest of contemporary France :

'Rem Romanam huc satietate gloriæ provectam, ut externis quoque gentibus quietem velit.' 'The Roman state has become so satiated with glory that it desires peace and quietness even for foreign nations.'

That recalls to my recollection a conversation many years ago with M. Prévost-Paradol, whose terrible end, sad when we think of him as an advocate of constitutional monarchy in France, seems only a deserved punishment when we remember his Chauvinistic tendencies. He was talking of the confirmed dislike of France to England. I said it was a thousand pities, for that in England we had long got over feelings of this kind. 'Ah, monsieur,' was the reply, 'vous n'êtes pas les derniers vaincus !'

The fiftieth chapter of book thirteen is exceedingly curious :

'Eodem anno, crebris populi flagitationibus, inmodestiam publicanorum arguentis, dubitavit Nero, "an cuncta vectigalia omitti juberet, idque pulcerrimum donum generi mortalium daret." Sed inpetum ejus, multum prius laudata "magnitudine animi," adtinuere senatores, "dissolutionem imperii" docendo, "si fructus, quibus res publica sustineretur, deminuerentur : quippe, sublatis portoriis, sequens, ut tributorum abolitio expostularetur." '

'That same year [A.D. 58], as the people were complaining loud and long about the impudent exactions of the farmers of

the revenue, Nero hesitated as to whether he should not give up all the indirect taxes, and thus confer a most splendid gift upon the human race. The senators, however, after heaping praise upon his grand conceptions, restrained his ardour by making him understand that the dissolution of the Empire would ensue if the revenues by which the administration was sustained were to be diminished ; since it followed that if the customs were done away the abolition of the direct taxes would be vehemently demanded.'

Many of my hearers will remember in connection with this the late Lord Beaconsfield's sufficiently absurd remark that Charles I. was the holocaust of direct taxation. I am afraid neither Nero nor the royal martyr was a convert to the sound Cobdenic doctrine that in all well-constituted states all taxes should be direct. I say in all well-constituted states, but hasten to add that no state, which like our own has a large national debt, belongs to the category of the well-constituted.

Interesting, too, and of modern application, are the words of the German chief in chapter fifty-five of book thirteen :

'Sicuti cœlum diis, ita terras generi mortalium datas : quæque vacuæ, eas publicas esse.' 'As heaven belongs to the gods, so is earth given to the children of men, and all lands which are without an owner belong to all.'

Would that we had remembered this maxim in making our arrangements with our colonies, and that the mother-country had retained the right of settling on any unoccupied lands of the Empire such subjects of the Crown as chose to go thither.

In book fourteen, chapter thirty-six, there is the weighty remark of Suetonius Paulinus :

'Etiam in multis legionibus paucos esse, qui prœlia profligarent.' 'Even among many legions it is only the few that decide the fate of battle.'

The last words of chapter fifty, in the same book, contain

the key to the failure of ninety-nine out of every hundred of the attempts at political assassination in the words:

'Nisi inpunitatis cupido retinuisset magnis semper conatibus adversa.' 'If the desire of impunity had not held him back, that desire which is always adverse to great attempts.'

In chapter sixty-two we have with reference to Anicetus, the murderer of Agrippina, the words:

'Quia malorum facinorum ministri quasi exprobrantes adspiciuntur.' 'For the instruments of crime are regarded as a sort of reproach to those who have commanded it.'

The last words of chapter thirty-one, book fifteen, would apply sufficiently well to the principles on which we govern India:

'Scilicet externæ superbiæ sueto non inerat notitia nostri: apud quos vis imperii valet, inania transmittuntur.' 'Accustomed to the pride of foreign barbarians, he little knew the ways of a people which cares much for real power, and takes small account of its trappings.'

When I went out to Madras in 1881 the first district officer who met me at the frontier of the Presidency was the collector of Bellary, a Scottish gentleman who was then, in return for the modest salary of something between 2,000*l.* and 2,500*l.* a year, governing a tract of country which was only a very few square miles smaller than the whole of Belgium.

I pass now to the 'Histories' of Tacitus. The first book contains but little which comes quite directly within the scope of these remarks. Of course it bristles with famous sayings for which the modern statesman may frequently find fitting application. Such are the words at the end of chapter three: 'Nec enim umquam atrocioribus populi Romani cladibus, magisve justis indiciis adprobatum est, non esse curæ deis securitatem nostram, esse ultionem.' 'Nor was it ever proved by more terrible calamities happening to the Roman people nor by clearer signs, that the gods care not at all for our security, but much to take vengeance on our crimes.' Such too are those used with regard to the African legions in

chapter eleven : 'Contentæ qualicumque Principe, post experimentum domini minoris.' 'Content with any sort of Emperor, after having had experience of a smaller despot.'

The words at the beginning of the twenty-ninth chapter recall to me an anecdote which I lately heard: 'Ignarus interim Galba et sacris intentus, fatigabat alieni jam imperii deos.' 'Galba meanwhile knew nothing of all this, and intent upon the religious ceremonial was wearying by his supplications the gods of an empire which was already another's.'

When General Sherman was making his march through the South he arrived at a place where all the stores were shut, and everything had the appearance of a city of the dead. Sending for the authorities he reassured them as to his intentions, and succeeded so far in doing so that they asked if he would receive a deputation of ministers of religion. He agreed, and those venerable personages arrived. 'We must now, I suppose,' they said, 'pray for Mr. Lincoln.' Sherman thought for a minute, and then replied, 'No, I don't think you need do that; he is getting on very well.' 'May we then,' they rejoined, 'pray for Mr. Jefferson Davis?' 'Oh! by all means,' he said. 'Pray away as hard as you can; no one ever wanted your help more than he does.'

The 'facilius de odio creditur' of chapter thirty-four rises into the rank of general political maxims.

The last words of chapter forty-four only require to be turned differently to belong to the same class. The historian is speaking of the punishment by Vitellius of persons who had or claimed to have taken a share in the rising against Galba: 'Omnesque conquiri et interfici jussit; non honore Galbæ, sed tradito Principibus more, munimentum ad præsens, in posterum ultionem.' 'And he ordered all to be sought out and put to death, not to do honour to Galba, but because it is a tradition with Princes so to act, in that it gives them a defence for the present, and the hope of being avenged in the future.'

Unhappily for mankind the conclusion of chapter fifty has had frequent applications in our own times: 'Et ambigua de

Vespasiano fama: solusque omnium ante se Principum in melius mutatus est.' 'The reputation of Vespasian was doubtful, and he alone of the whole series of Emperors up to his time changed for the better.'

The phrase used about the squabbles of the people of Lyons and those of Vienne in the sixty-fifth chapter are also unhappily not without a parallel or, alas! many parallels: 'Uno amne discretis connexum odium.' 'Separated by a single river, linked by mutual hate.'

The second and third books give us little that has actually crystallised into maxims, though they hold in solution, so to speak, as indeed does almost all the writing of Tacitus, a very great amount of sagacious political reflection, together with many sketches of character to which a few touches of the brush have given immortality and accounts of events which engrave themselves on the memory. Surely, for example, the description in book three, chapter twenty-four, of the third legion saluting the rising sun after the terrible night battle near Cremona is one of the most picturesque incidents in all history.

Among maxims proper applicable to all time we have at the end of chapter seventy-four of book two the words: 'Imperium cupientibus nihil medium inter summa et præcipitia.' 'To those who wish for supreme power there is no standing ground between triumphant success and hopeless ruin.' And in chapter seventy-five: 'Facilius universos inpelli, quam singulos vitari.' 'It is more easy to sway men in the mass than to avoid the dagger of the individual enemy.' This, or something like it, must be often in the thoughts of the advisers of the Czar—and indeed, in these our days, of many ruling personages.

In chapter seventy-six we have the words: 'Satis clarus est apud timentem, quisquis timetur.' 'To the apprehension of a ruler who fears whoever is feared is illustrious enough.' Illustrious enough—of course that means, to be in peril from his jealousy.

And, again, at the end of chapter seventy-seven: 'Qui

deliberant desciverunt.' 'Those who deliberate on rebellion have already rebelled.'

Among things not in the nature of maxims, but still full of suggestion to the statesman, I should count remarks like the reflection in chapter twenty on the envy excited by the method of travelling adopted by the wife of Cæcina:

'Insita mortalibus natura, recentem aliorum felicitatem oculis ægris introspicere, modumque fortunæ a nullis magis exigere, quam quos in æquo videre.' 'It being an instinct of humanity to scan with eyes keen to disease the recent good fortune of others, and to insist on a temperate use of prosperity, most of all from those whom they have known on an equality with themselves.'

The character of Suetonius Paullinus in chapter twenty-five, the weighty judgment on Marius, on Sulla, and on Pompey in chapter thirty-seven, the remark at the end of chapter forty-nine on the sepulchre of Otho, 'modicum et mansurum,' and many, many others are akin to these, and 'gems formed under the pressure of enormous masses of thought.'

Of this order of sayings, however, I have marked so many that it would be impossible to enumerate them, or anything like to enumerate them, in the time at our command.

The phrase in book three, chapter fifty-four—'Prohibiti per civitatem sermones, eoque plures,' 'Discussions were forbidden, and were accordingly all the more numerous'—belongs (if this be the correct reading of the passage, as I think it is) almost to the category of maxims.

So does the observation in book four, chapter twenty-six, about the great drought: 'Quod in pace fors seu natura tunc fatum et ira dei vocabatur.' 'That which in peace was called chance or nature was now attributed to the decrees of fate or the anger of the deity.'

Many a prime minister has had occasion in modern times to repeat the words in book four, chapter eighty-three:

'Sed Ptolemæus, ut sunt ingenia regum, pronus ad formidinem, ubi securitas rediit, voluptatum quam religionum

adpetens, neglegere paullatim aliasque ad curas animum vertere.' 'But Ptolemy, such is the way of kings, although easily alarmed, more bent, when security returned, on pleasures than on religious observances, gradually neglected the warning and turned his mind towards other pursuits.'

The speech of Civilis in book five strikes a chord to which millions of hearts vibrate even in our own day, and which many and many a modern statesman has struck: 'Rhenum et Germaniæ deos in adspectu.' 'The Rhine and the gods of Germany are full in your view.'

What is that but the sentiment of 'Sie sollen ihn nicht haben' or of the 'Wacht am Rhein'?

In the ninth chapter of the 'Agricola' we have the words: 'Haud semper errat fama; aliquando et elegit.' 'Common rumour does not always err; sometimes it has even put the right man in the right place.'

Tacitus is less severe than Chamfort, who said, 'Le public, le public! combien de sots faut-il pour faire un public?'

In chapter twenty-seven occurs the reflection: 'Iniquissima hæc bellorum conditio est; prospera omnes sibi vindicant, adversa uni imputantur.' 'It is a most iniquitous peculiarity of war that everybody claims the credit of successes, but, whenever anything goes wrong, it is attributed to one alone.'

The 'omne ignotum pro magnifico' of the thirtieth chapter has become proverbial, as have the last words of the same chapter: 'Ubi solitudinem faciunt, pacem adpellant.'

In the 'Germania,' interesting as it is from many points of view, we could not expect to find, and do not find, almost anything bearing upon the subject of which I am speaking this afternoon. I have indeed marked only one passage, namely, the very true observation which is made in the forty-third chapter: 'For in all battles it is the eye which is first conquered. Nam primi in omnibus prœliis oculi vincuntur.'

The 'Dialogus de Oratore,' which is, more probably than not, by Tacitus, is interesting, in that it adds something to our

knowledge of Roman life under the early Empire, but contains very little that is not foreign to my present subject.

The remark, however, which occurs in some criticisms on Cicero's early orations, near the end of the twenty-second chapter, might be taken to heart by many parliamentary speakers of the present day. It is to the effect that an orator should be like a wealthy householder: he should not merely have a roof to shelter him, but possess among his treasures gold and jewels to handle and gaze upon at his pleasure.

The last words of chapter thirty are very like some observations which Lord Chesterfield, himself an excellent speaker, addressed to his son. They point out that he is the true orator who can speak gracefully and persuasively on every occasion, having regard to what the moment requires and the taste of his audience demands.

Perhaps, however, the most important passage is that in chapter thirty-seven, in which Maternus dwells on the wide difference between having to speak upon some mere technical point or on the plundering of allies and the massacre of citizens. Though it is better, he adds, that we should not have evils of that kind to deal with, yet when they did come about they supplied a splendid material for oratory. It was not by his speeches against his guardians that Demosthenes became famous, nor did his defence of Archias make Cicero a renowned orator; it was his Catilinarian and his Verrine speeches or his Philippics which raised him to that rank. The critic goes on to say:

'Crescit enim cum amplitudine rei vis ingenii, nec quisquam claram et illustrem orationem efficere potest nisi qui causam parem invenit.' 'For the power of genius rises with the importance of the matter it has to treat, and no one can make a great and splendid oration unless he has got to deal with a case of sufficient moment.'

He then proceeds to explain that he does not mean that it is well for a state to have bad citizens in order that it may have good orators, but only that oratory is an art which has its birth in unquiet times.

It is just possible that this passage may have been in the mind of the first Lord Lytton when he wrote the lines at the commencement of his poem 'St. Stephen's,' one of the best things which has ever been written on the subject of oratory, either in verse or prose:

> Twin-born with Freedom, then with her took breath
> That art whose dying will be Freedom's death.
> From thought's fierce clash in lightning broke the word;
> Ungagg'd at last the isle's strong man was heard:
> Still in their sheaths the direful swords repose;
> Voice may yet warn: the orator arose!
>
> Founders of England's slow-built eloquence—
> Truth's last adornment as her first defence—
> Pass—but as shadows! Nevermore again
> May the land need, yet reel beneath, such men!

There is a passage, too, which the remarks of Maternus recall to me in a speech by Castelar, who surely wants nothing but a greater power of compression and a more severe taste to be in the very first rank of orators, ancient or modern. 'I have never been able to explain to my own satisfaction the decay of religious oratory in this age which has engendered political oratory; when the voices of Chatham, of Mirabeau, and of Vergniaud are hardly silent. Theological ideas are eloquent of themselves. It was very easy for Bossuet to touch the inmost fibres of the human heart with the simple phrase 'Madame is dead,' and it was very difficult for Pitt to move anyone by a figure in the budget.

Apropos of the thirty-seventh chapter of the 'Dialogus,' I may be permitted to remind you that it was the first sentence of the previous chapter, chapter thirty-six, which Mr. Pitt translated offhand in so brilliant a manner: 'Magna eloquentia sicut flamma materia alitur et motibus excitatur et urendo clarescit.' His translation was: 'It is with eloquence as with a flame—it requires fuel to feed it, motion to excite it, and it brightens as it burns.'

And now I have detained you long enough. The main business of our society is to delve amongst the records of the

past and to bring new knowledge to light. That knowledge, however, can only be made available to the world at large when it has been worked into a literary form by those who possess at once the power of separating the true from the false, and of giving, to what they think, lucid and if possible memorable expression. I cannot believe that we do ill at these anniversary meetings, especially when they are addressed by one who makes no claim to be a specialist, if we pause to consider the works of some of those who can claim with justice to be in the first flight of historians.

I was once the possessor of a curious book called 'Essays by a Gentleman who has left his Lodgings.' The author was no less a person than the late Lord Russell, and the best thing in it, I used to think, was a diary kept at Rome by the Wandering Jew in the days of Tacitus. I forget entirely what the experiences of that much-travelled individual were; but if my German friend, whom I mentioned at the beginning of these remarks, or any of us who are here present, were to have had his opportunities, I think that the great historian would have interested him more by his sketches of character and by his pointed remarks upon political events than by political maxims properly so called. For these we must turn to more modern writers, most of whom have, however, profited not a little by the labours of the world-famous writer to whose works I have ventured to recall your attention this afternoon.

THE TEXT OF HENRY I.'S CORONATION CHARTER

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1. Several authentic texts—2. The addresses—3. St. Albans reports doubtful—4. Bocland 'justiciar'—5. Treasury exemplar—6. First line of Rochester text—7. Traces of lost exemplars—8. Witnesses—9. 'Gundulf' interpolated at Rochester—10. 'Crispin' at Westminster—11. Earl Giffard—12. Witnesses of the Quadripartitus—13. Last line—14. Articles; divisions and rubrics—15. Authentic * variations—16. Possibly † authentic ones—17. Corruption in single MSS.—18. In whole classes—19. Quadripartitus-interpolation—20. Monkish forgery from Westminster—21. MSS.: Worcester—22. Herts—23. Rochester—24. Hexham—25. Domitian—26. Quadripartitus; Leges Henrici—27. Westminster—28. Norman-French translation—29. Prints from single MSS—30. Editions in legal collections—31. My text.

1. THE historical importance of Henry I.'s charter of liberties has been fully recognised by the leading writers[1] of our time. Shortly quoted and confirmed by Stephen and Henry II. in their charters of liberties, it was called *Magna Carta* in the beginning of the thirteenth century,[2] if not earlier; its influence on the constitutional struggle under King John has been often pointed out from the St. Albans[3] chroniclers. Messrs. Round and Hall[4] but lately showed its remarkable use in a French document of the same age. No

[1] Stubbs, *Constitut. Hist.* (1874) i. 305; Freeman, *Will. Rufus*, ii. 352.

[2] Glasgow register.

[3] Also Hovedenii Continuator (ap. Walt. Coventr. ii. 218) mentions in 1214 *carta libertatum ab Henrico I. Anglis data*; and S. Edmundi Monachus in his *Electio Hugonis* (ap. Arnold, *Mem. of St. Edmund's*, ii. 126) speaks of the *commotio inter regem et barones, quod rex cartam ab Henrico patre* [scribe's fault for *proavo*] *super maioribus libertatibus confirmatam adnichilare nitebatur.*

[4] *Engl. Hist. Rev.* 1894, 326; cp. below, 26: Fr.

apology, therefore, is needed, if herewith a first attempt is ventured to ascertain its authentic words from 28 texts.[5] It has to be reconstructed, as none of the more than thirty originals[6] once existing is preserved to us. Many former editors[7] have, indeed, picked up in their notes one or other of the numberless variations between the manuscripts, but they have not tried to distinguish scribes' errors, intentional alterations, forging tendencies, and the differences resulting from the fact that several exemplars of equal authenticity went out from Westminster on or shortly after that fifth of August 1100, when Henry was crowned.

2. To begin with this last class of variations, it is clear that the charter,[8] sent throughout all England, was *addressed* to every single county separately. We still possess the wording of the addresses to Worcestershire and Herts;[9] Abetot and Bocland, whom they mention, were then sheriffs. The copyists to whom we owe these addresses both remark that each county received a copy.[10] They might either, as we do now, conclude this from the special restriction of the address to one county; or possibly they had seen copies addressed otherwise.

3. When Wendover[11] tells us that Henry 'had the charters deposited in the abbeys of the single counties,' this is hardly more than a mere inference from the existence of a copy at St. Albans. This was probably not true in the case of all the abbeys, nor certainly would it apply to the abbeys alone. While Wendover seems fain to enhance the importance of monastic archives generally as hoards of constitutional muniments, Matthew Paris[12] goes a step further. In

[5] I have neglected most modern copies, nor do I pretend to know all the copies that may exist, though not mentioned in printed catalogues of manuscripts. Sometimes their references lead us astray through a confusion with other Henries: Julius A IX. f. 160 b, *e.g.*, is Henry III.

[6] On plurality of authentic exemplars see Giry, *Manuel de diplom.* 10.

[7] See below, 30.

[8] *Edicto per Angliam misso*; Will. Malmesbur. *Reg.* v.

[9] Cp. below, 21 sq., classes i. ii.

[10] *Habuit quilibet comitatus talem* Sc 2; *Facte sunt tot charte quot comitatus* Albwa. Albpa. [These symbols are explained below, 21 sqq.]

[11] Albwa. Albpa. [12] Albh.

this respect he places St. Albans in a proud position beside the two metropolitan cathedrals, and he aims at the same time a blow at the royal power in a statement confirmed by no other authority, and perhaps due to the excited imagination of this baronial partisan. Henry I., he tells us, afterwards withdrew the exemplars of this charter, so that only Canterbury, York and St. Albans retained one each. This statement may serve as an argument that the charter was rare in the thirteenth century, but that Canterbury possessed a copy; and this would be identical with the document used by archbishop Stephen Langton. It is now lost [13] as well as the York charter. But Paris's main contention, that only three churches then possessed copies, is refuted by the present existence of at least four versions from other archives. Nor does his story of an ensuing suppression of the charter at all agree with the fact that Stephen and Henry II. confirmed the liberties granted by Henry I., without mentioning that his charter had been in abeyance.

4. Another attempt to enhance the importance of the St. Albans text (if not to exempt the abbey from the shrievalty) appears in the impudent alteration of Bocland's title *vicecomiti*, correctly given in the annals of 1100, into *iusticiario Anglie*, under 1213. Owing to this corruption by Wendover, whom Paris faithfully follows, Hugh of Bocland was erroneously put in the former lists of chief justiciars.

5. One exemplar was deposited in the treasury at Winchester.[14] It bore, I presume, that general address to all England which, though more or less mutilated,[15] exists in three or four classes of our manuscripts, and among them in the version copied by our informant. This was probably the

[13] Then or later on existed, however, among the muniments of the archiepiscopate a copy of the Westminster class (see below, 27 : Cant.). If Langton had seen this, its monastic interpolation would have been probably much wider known, while the St. Albans chroniclers distinctly say the grantees in the charter produced by Langton were *ecclesia Anglicana et magnates*; Wendover a. 1214 = Mat. Paris, ii. 583.

[14] *In aerario apud Wintoniam conservari praecepit*; Haug.

[15] We miss the prelates and earls who generally precede *baronibus et fidelibus* in the most solemn Anglo-Norman charters.

record that Stephen and Henry II. confirmed. The latter,[16] and perhaps the former[17] as well, quoted some words from it. It had most likely disappeared before the middle of the thirteenth century, as the compiler of the Red Book of the Exchequer had the Worcestershire version copied.

6. The beginning of the Rochester version, on the other hand, ought long ago to have disappeared from the editions of the charter. Not pretending to be documentary at all, this line inserts an historical remark between the name and the title of the king; and it commences with a gross chronological error.

7. Traces of a Wilts and a Northamptonshire copy may lurk behind the allusions to the charter which we find in William of Malmesbury[18] and in the work of the Anglo-Saxon of Peterborough.[19]

8. While three addresses, different but of equal authenticity, ought to be printed in parallel columns, I shall give the list of witnesses in all the six[20] versions: not because I consider all of them authentic—I shall rather show one to be an invention, and all to have been tampered with,—but because I despair of the list being emended with any degree of certainty. To an author who used the Rochester version only, it seemed to 'indicate the small number of powerful men who had as yet adhered to Henry.' The more valuable appears the Worcester list, the fullest of all. All its names but two are confirmed by other versions. All of them fit in perfectly with what we know from other sources about Henry's earliest court. Robert Fitz Hamon and Robert Malet occur, indeed, in this version only; but the former signed Henry's recall of archbishop Anselm,[21] and the latter was among the courtiers banished soon afterwards. The monks of St. Albans, Hexham and Westminster[22] give no name which is wanting

[16] *Malas consuetudines* = 1, 2.
[17] *Leges regis Edwardi* = 13; compare 12. 10 with Stephen's longer charter.
[18] He alludes to Art. 1, 1; 6–8; 13.
[19] He alludes to 1 and (?) 13.
[20] Dm breaks off in 6, 1.
[21] Epist. Ans. iii. 41.
[22] If *Gisel[illegible]rt* is interpolated; see below, 10.

at Worcester; each rather leaves out some at the end. It seems scarcely too much to assume that all those barons had once figured in the exemplars of these three monasteries as well as at Worcester, and that only when they had come to be forgotten, their names were omitted by lazy copyists. Such an intentional omission seems, indeed, to be implied in the St. Albans addition *et aliis multis*. Still Worcester lacks *Henr. de Portu*, mentioned at Rochester. This cannot be a Kentish interpolation; nor is this Norman baron totally unknown. Two theories, then, may be suggested: either the Worcester scribe skipped the name (that all the rest did so would be no marvel, as they omitted the precedent names as well), or the authentic originals differed among themselves at the end of the charter just as we know them to have done at its beginning. If so, bishop Gundulf and abbot Giselbert Crispin *may* really have witnessed the Kentish and the Westminster exemplar respectively. A further conclusion would be, that the chief prelates of that county to which the particular exemplar went were mentioned as witnesses. But as such a conclusion is not confirmed by other facts, I rather prefer to assume that only one series of witnesses was authentic, or, in other words, that 'Gundulf' and 'Giselbert' were interpolated by their own monks.

9. As to Rochester, we saw above how this version tampered with the beginning line of the charter, and I shall have to show other instances of inaccuracy. Among the witnesses it lacks three barons mentioned at Worcester—Steward Eudo among them, whom Hexham also records—and skips twice the name of the cathedral city after the bishop's name. The value of this authority has been altogether overrated. Gundulf may, indeed, have hastened to Henry's side at once (as the other disciples of Lanfranc in English monasteries became the King's stout partisans soon after), and may have been present at his coronation. But did he witness the charter? Several arguments raise grave suspicion against this contention. The sainted bishop's name, which no clerk would have failed duly to repeat, appears at Rochester only.

It wants the localising qualification *Roff.* which only to a Rochester monk might seem superfluous. It stands just at the place where the other versions unanimously mention *G. epō Hereford.*, i.e. Gerard, soon after archbishop of York, the very soul of Henry's earliest government.[23] That *he* witnessed the charter admits no doubt; and it is very unlikely that he was left out from the witnesses of the Kentish original. I rather assume that the lazy copyist dropped *Hereford.*, just as he certainly did drop other names, and that he or some later Rochester monk extended the compendium *G.* into *Gundulfo.*

10. As to *G. abb. Crispino*, these words appear only in that version which we shall prove to have been corrupted by a monastic forger.[24] Gilbert must, indeed, have been present at the coronation in his own abbey. Nor would it strike us, if the abbot of Westminster had signed the charter between bishops and earls. But here again the place where G. was abbot is wanting. Nor do family names of abbots appear in formal Anglo-Norman records. Gilbert indeed bears the name of *Crispin* (so did his grandfather, father and other relations[25]) with William of Jumièges,[26] Ailred of Rievaulx,[27] and in several books of Le Bec,[28] the abbey from which he came. But he does not call himself so in his 'Disputatio Judæi,' seemingly his only work [29] now extant. He is not addressed as Crispin by Saint Anselm [30] or by the verbose poet of St. Austin's.[31] Several strictly contemporary historians,[32] some

[23] See my *Quadripartitus*, p. 36. Gerard signed the king's invitation to Anselm together with three other witnesses of the charter; see above, note 21.

[24] Below, 20. [25] *De genere Crispinorum.*

[26] He quotes *Vita Herluini a Gisleberto Crispino postea abbate Westmonasteriensi*, vii. 22. [27] *Vita Edwardi*, 2.

[28] *Catal. libr. Becc.* (*Hist. littér.* x. 196); Vita Lanfranci, 7; Chron. Becc.

[29] Several writings formerly ascribed to him belong to other Gilberts; Wright, *Biogr. Brit. lit.* ii. 70. The MSS. in Peterhouse, Cambridge, quoted by Cave, do not specify which Gilbert they mean, as Mr. W. E. Barnes has been kind enough to inform me.

[30] Epist. ii. 16. 36. 47.

[31] See my 'Raginald von Canterbury,' *Neues Archiv*, xiii. 525.

[32] Eadmer, Nov. IV a. 1108; Florent. Wig. a. 1117; Ann. Anglosax. Petroburg. 1117; Orderic, vi.; French poem on Edward the Conf. v. 4649.

royal documents,[33] and Anselm's letters[34] mention him, and his epitaph[35] praises him without the family name. We may therefore venture to believe that *Crispino* in the witnesses' list is not authentic, and we may consider the four words *et G. a. Cr.* as a private interpolation.

11. One title among the witnesses remains doubtful. Walter Giffard is called earl in three versions, and in two he is not.[36] If we can trust Orderic, Walter was then earl of Buckingham. If so, *com.* would be authentic. But unluckily the history of this earldom seems far from certain.[37]

12. Lastly, one version, viz. the Quadripartitus, exhibits no particular name in the witnesses' line, but mentions prelates, lay barons, sheriffs, and *optimates* collectively. This form is by no means found in all the copies addressed to England generally, of which three rather agree with the county copies in giving individual witnesses. It has no parallel in Anglo-Norman charters. The legal idea of a witness requires a particular man to be responsible, and not a whole class. Sheriffs were usually the recipients, but not the witnesses, of royal ordinances. *Optimates* savours more of an ecclesiastical scriptorium than of the king's chancery. To contend that four days after the Red King's death the 'archbishops, bishops, earls, barons and sheriffs of all England' could have been summoned, and that they hastened to Westminster, must have sounded absurd at the time, when Anselm was still in Burgundy. Now the formula *archiepiscopis, episcopis, comitibus, baronibus, vicecomitibus totius Angliae* is indeed well known from Anglo-Norman records; only there it is not the last line, but the first—namely, the address. This

[33] *Monast. Anglic.* i. 301.

[34] ii. 51, perhaps ii. 13, and possibly i. 75, ii. 30.

[35] *Mon. Angl.* i. 301.

[36] Freeman (*Will. Rufus*, ii. 358), using the latter only, asks: '*Why does not Walter Giffard sign as Earl? Or is it his son?*' But he confounds the Conqueror's companion and his son, who died in 1102. The latter is called *comes Buccingeham* by Orderic (iv. 20. 183) under the years 1097 and 1102, and leaves a son a minor. Planché ('The Giffords' in *Journ. Brit. Archaol. Assoc.* xxix. 58) had already corrected Dugdale, but does not seem very critical.

[37] Cp. Round, *Geof. Mandeville*, 272. n. 3.

witnesses' line may, therefore, safely be rejected as a private invention, most likely of the author of the Quadripartitus himself, who has committed worse forgeries than this.[38]

13. The last line, giving the date, is wanting or only abbreviated in those versions which omit some witnesses too. The coronation was at Westminster, and though the Rochester version puts *London* instead, just as William of Malmesbury does, it has the same meaning, proving that the western minster was already before the middle of the century[39] loosely spoken of as an outpost of the growing city. The authentic copies had no doubt all of them *Westm.* The last word, *Valete*, found in two good versions, seems unusual in royal charters. Possibly two clerks independently subjoined it from letters or deeds.

14. If, then, the authentic exemplars of the charter differed certainly in the address, and possibly in the concluding lines, may they not have presented various readings in the main body, the articles, as well? These articles are not numbered in the manuscripts. Nor do breaks, full stops or initials occur at the same points everywhere. The originals, therefore, seem now and then, quite arbitrarily, to have begun a fresh sentence with a majuscle. I shall retain the usual numbering, but, for the convenience of quotation, I have introduced a subdivision into paragraphs. The splitting of the charter into two chapters, on the other hand, must be abandoned. This whim is due to a rubricator of the 'Leges Henrici' heading article 9 with *De confirmatione legum Edwardi regis.* Quadripartitus, whom the 'Leges' follow, does not give it; it is therefore not authentic. Some other rubrics must also be discarded, as they come either from those 'Leges,' or are marginal additions, by another hand than the scribe's in Sc 2. That any original could have borne a general inscription like *Institutiones* or *Leges regis Henrici* need scarcely be refuted. These general rubrics, widely different in the various manuscripts, ought to be relegated from the heading of the text to the annotations.

[38] My *Quadr.* p. 163. [39] My *Leges Angl. s. xiii.* p. 62, 67.

15. There are, indeed, fifteen variations in the articles which I cannot otherwise explain than by the assumption that the originals themselves differed, viz. all those cases where some *whole* classes deviate from several other whole classes of manuscripts. As mediæval scribes hardly ever copied two pages without a dozen errors, we shall not expect to find chancery clerks perfectly correct in minute matters. Now all these variations concern the style only, never affect the sense, and are without any exception[40] of the most trifling kind. The corruption of *geldis* into *gildis* [11] was most likely in two (or more) originals; Domesday clerks often distorted English words. Differences like these seem to be original; they must not be dropped in the future final edition. I shall mark them below by an asterisk*.

16. Fifty variations will be distinguished below by a dagger †. Resting each on one prototype only, they are due either to a private copyist or (what seems much less likely) to a clericus regis unintentionally slipping from the ideal chancery text, and not carefully enough collating it afterwards. Instead of *gravamine alleviati* one version has *allevamine alleviati* [11]; the meaning required is 'freed from a burthen;' exactly the same sense is expressed by this variant (which, for stylistic reasons, I cannot help considering as a corruption), viz. 'relieved by a relief.' None of these variations concern the sense, most of them are transpositions, omissions, or additions of superfluous words, and the interchanging of *sive*, *seu*, *vel*, *et*, *aut*, *non*, *nec*. The widest deviations are *viro* for *marito*, *concedo* instead of *facio*, and *facere consueverat* for *faciebat*.[41] I, for one, should rather ascribe them to private copyists than to official clerks, the more so as *esse concedo* for *facio* occurs in another private alteration,[42] and *assuetum erat* stands instead of *faciebat* [8] at another place with another compiler.

17. All the remaining variations, more than two hundred, I consider as corruptions. The bulk of them are clearly not due to the readings of the prototypes, but to individual and

[40] See, however, below, 18.

[41] 2; 1, 1; 3, 3.

[42] Another explanation remains, however, possible; see below, 27 Gl.

later scribes, as in those cases where sister-manuscripts of the same class present a reading in harmony with the other main classes.[43] Though I must, below, overload the notes with these variations, I do so only in order to enable the reader to examine my classification of the manuscripts. The future final edition of Henry's charter may safely drop at least all these and perhaps many more variations. While most of them are mere slips, especially unintentional omissions, some are intended as embellishments, or to give fuller or clearer readings.[44] The historical compilation possessed by Bromton,[45] and the quasi-legal one composed by a London citizen under John,[46] offer striking examples. The scribe here alters the obsolete old English *lagam* into the more classical *legem*.[47] He expresses his respect for the baronial share in government, and his hatred of royal taxation by four small insertions.[48] The Glasgow scribe wants goods, stolen during the interregnum from the king or other owners, to be returned 'to the Church' (14). A similar ecclesiastical tendency may lurk behind his alteration of the Church's *dominium*, which the king promises to take nothing away from during a vacancy, into *res ecclesiae* [1, 1].

18. A certain group of variations, though resting on a prototype, must be excluded from the dagger-class of possibly authentic variations, because they are grammatical[49] errors, or for historical reasons. As the king's title then was *rex Anglorum*, it is an error if, according to the style adopted after Richard I., *Anglie* is read. Nor do I consider the omission of *Dei gratia* in only one version as original, though

[43] One must not feel puzzled if in a few cases manuscripts of different classes deviate from the correct text in the same way. This is only to be expected in such a host of variations.

[44] *marito*, 3, 2; 4; Fr likes to alter *quis* into *aliquis*, 6, 1 (and Lond. adds the word, 4, 1; 5, 1); Fr alters *consilio* into *non nisi secundum consilium*, 3, 2.

[45] *gero*, 1, 1; *quidem*; *fore istas*, 1, 2. [46] *assuetum erat*, 8.

[47] 9. 13; cp. William I.'s Articles *Hic intimatur*. For *Eadward* most MSS. have the modernised form *Edward*, one *Aedward*, the Frenchman *Edovard*.

[48] He adds *assensu* (*consilio*) to *consilio* (*consensu*) *baronum*, 1; 10; and to the articles on taxation *occasionibus* and *omnino*, 1, 1; 11. See my *Leges Angl.* p. 71.

[49] *Revelare* for *relevare* constantly in Sc 2.

it used to be left out in charters[50] addressed to a county for the benefit of a private grantee. *Culpa* for *iustum* [8, 1] savours more of foreign than Anglo-Norman law. Between *tempore patris* and *aliorum antecessorum* the insertion of *fratris* would disturb the chronological order [8]. Henry wanted to charge his brother, but not his father (and certainly not him alone), with the abuse of having heirships redeemed. He reformed the wardship of baronial lands *and* of children. *Patris* for *fratris* and the omission of *et* are therefore errors of the scribe [2; 4, 1].

19. Liberating the domain lands of tenants by knight's service from taxes, the king expressed the hope that in return they would the better prepare themselves for military service; here Quadripartitus adds: '*sicut benignitas mea propensior est in eis, ita michi fideles sint*' [11]. This superfluous line, personifying an abstract quality and employing two words with a higher flight of style, does not seem to have proceeded from the pen of that clear and straightforward business man who drew up Henry's charter. As *propensus* and *benignitas* occur again in those few pages of Quadripartitus[51] which are the author's own work, as inflated language was his foible, and as we know him to have altered another part of this charter as well,[52] I consider the line in question was invented by him.

20. From a mere flourish we pass lastly to a forgery. In one class of MSS., altogether the least correct of all, the king is made to grant, at the end of his charter, 'to the monks of the present church the liberties, dignities, and royal customs once confirmed to them by the charters of kings.' Need we prove that such a sentence was impossible in a very solemn document composed no doubt by the most practised chancery officials? While all the articles, true to the character of a general charter of liberties, concern either the whole nation or certain recognised classes and estates of the commonwealth, this pretended grant

[50] See originals printed by Birch, *Journ. Brit. Archæol. Ass.* xxix. 236.
[51] P. 78, 84. [52] See above, 12.

deals with *one* church. While genuine charters to an ecclesiastical house mention either its head or its place, here the grantee is *praesens ecclesia.* While they specify the single privileges of immunity in legal terms, here the expressions are of vague indistinctness. While they quote names of kings who had formerly granted such liberties, the forger speaks only of *regum.* But which church did he mean? Certainly a monastic one enjoying large political privileges at least as early as Edward the Confessor's reign. Could he devise his forgery for the benefit of each of the twenty monasteries or more which belonged to that high rank? A French translator [53] took indeed *praesens* for all the *églises ke ore sunt* (while another copyist, using a Canterbury volume, imagined the Christchurch monks to be meant).[54] In fact, however, such a general monastic tendency, if it ever existed, did not gain its purpose, as Worcester, St. Albans, Rochester, Hexham and Bury St. Edmunds [55] kept free from this forgery, which on the other hand is received in at least five books not owned by English monks. He rather meant by *praesens* one particular church, viz., the *present* monastery where, as he read in the last line, the charter was given, *i.e.* Westminster. We saw above how it is only this version that mentions Gilbert Crispin. Hardly any doubt can now remain that this name was interpolated, and the passage in question was forged by a Westminster monk.

21. The manuscripts may be divided into seven classes. i. The original sent to Worcestershire is represented first by **Fl**, *i.e.* Florence of Worcester's short abstract [56] of articles 1, 12, 13, 10, under the year 1100. This abstract serves to show that at least one deviation of the other representative of this class was not yet in its original: Fl has *retinuit* [10] where the rest of the MSS. give *retinui*, while Sc 2 has *tenui*.[57] By

[53] See below, 28. [54] See below, 27: Cant.

[55] See above, notes 3, 13.

[56] It must not be called a *summary* of the whole charter.

[57] Sc 2 therefore was not the source of any other MS.; cp. *omnino*, 9, and the omissions *meis*, 6; *eas*, 10; *suarum*; *proprio*, 11. Address and list of witnesses, on the other hand, prove that Sc 2 does not depend on the following classes.

Sc 2 the editors design the second entry of our charter in Scaccarii liber rubeus, f. 163v., of the thirteenth century. A copy of Sc 2 two centuries later exists in **K 3**, *i.e.* the Cottonian codex Claudius D II, f. 41.[58] Sc 2 exhibits altogether the best text.

22. ii. The original sent to Hertfordshire was copied at St. Albans. This copy, which I call **Alb**,[59] is lost and has to be reconstructed from two versions of the annals of this house. Version **a** exists under the year 1100 in Wendover, in Paris's greater chronicle, and in his 'Historia Anglorum;' I call these three authorities **Albwa**, **Albpa**, and **Albh** respectively.[60] As Albpa and Albh share all the faults of Albwa,[61] add some of their own, and correct Wendover nowhere, they seem derived from him.[62] I shall call the second entry of the charter, under the year 1213, version **b**. Here also Wendover,[63] whose text I call **Albwb**, is faithfully followed by **Albpb**, *i.e.* Paris a. 1213.[64] This version b does not depend on a, as it avoids a's faults; but it forges Bocland's title.[65] Paris here commits an error of his own, anticipating five words from article 4 in 3, 3.—In the footnotes below I shall designate by **Alb** the variations common to all these five texts of St. Albans.

23. iii. The Rochester version, the lost prototype of which I call **hrl**, is represented by two manuscripts, viz. **H** and **Rl**. By the symbol H editors are long used to denominate the Textus Roffensis,[66] written about 1140 and therefore the

[58] Cp. my *Leges Angl.* § 28. I have not collated K 3.

[59] The omission (*rectis*) and the addition (*regi*) in 6 as well as *culpa* (8) and *patris* (2) prove that Alb was not the source of the other classes.

[60] I collated them in the editions of Coxe, ii. 161; Luard, ii. 115; and Madden, i. 177. The *Hist. Anglorum*, a. 1213, quotes the charter (without repeating it) from '*Hist. Regum*,' *i.e.* Wendover or Cron. Maiora.

[61] Omitting *eiusdem regni*, 1; *imprimis*, 1, 1; adding *his* before *Testibus*, and altering *vellet* into *voluerit*, 3, 1; *barones* into *homines*, 4, 2; and *aliorum antecessorum meorum* into *fratris*, 8.

[62] Albpa is less good (omitting *opere*, 11), and Albh least correct (see the same place, and *quicquam*, 1, 1).

[63] Ed. Hewlett, ii. 84. [64] Ed. Luard, ii. 552. [65] Above, 4.

[66] I herewith beg to express my cordial thanks to the Very Rev. the Dean and Chapter of Rochester, and especially to their courteous librarian, Rev. G. M. Livett, who kindly allowed me to work in their venerable cathedral in July 1893.

oldest MS. of all. Rl means the Bodleian codex Rawlinson C 641, written about 1180. I have remarked before [67] how nearly akin Rl is to H. One would indeed suppose that Rl did merely copy our charter from H, if it did not avoid two very slight mistakes of H.[68] The first line of this version shows sufficiently that hrl was not the source of the other classes; besides it is guilty of some omissions as well.[69] The Rochester origin of hrl is based on the appearance here only of the name of Gundulf.[70]

24. iv. Richard, prior of Hexham, entered about 1140 a copy of our charter in his chronicle under the year 1135. His text has come down to us in a manuscript of the thirteenth century, in which the scribe may be responsible for some errors. I call this text, which I collate from Mr. Howlett's edition,[71] **Haug**. Trifling omissions [72] and some faults [73] prove that Haug cannot have been the source of one of the other versions. On the other hand Haug retains the beginning line more faithfully than hrl, the only version coeval with (or a little older than) Haug. This good text has been hitherto unduly neglected.

25. v. The Cottonian MS. Domitian viii, f. 118,[74] which I call **Dm**,[75] contains a fragment written at the end of the twelfth century. The writer broke off in the middle of article 6, 1, leaving the back page blank. He copied, with a good many faults of his own,[76] a text which was better than any of the other versions.

26. vi. The legal compiler of 1114, called Quadripartitus [77] (**Quadr.** below), begins his second book with our charter

[67] *Transact. R. Hist. Soc.* N.S. vii. 102. [68] *ea*, 3, 1; *pro*, 6, 1.

[69] *baronum vel hominum meorum*, 8; *ut apti et parati sint*, 11. Rl alone leaves out *graviter michi*, 14, 1. [70] See above, 9.

[71] *Chronicles of Stephen* (Rolls Ser.) iii. 142; cf. p. lv.

[72] *baronibus*, Prol.; *sicut iustum fuerit*, 8, 1.

[73] *actionibus*, 1, 1; *expono hic partes*, 1, 2.

[74] I owe a copy of the first and last lines to the kindness of Miss M. T. Martin.

[75] Cf. my *Quadripartitus*, p. 63, about another work contained in Dm. *This* text of our charter did not form a part of the Quadripartitus.

[76] *gratia*, 1; *iustis*, 6, 1. [77] See my *Quadripartitus*, p. 150. 58.

headed by a prologue. He distinguishes himself from all the other versions by his addition of a whole line, by his alteration of the witnesses,[78] and by his omission of article 12. As he avoids, however, their mistakes, he must have used, at least indirectly, a lost original. He is the first author who embodies the charter in a collection. From there the charter, together with the end of the prologue, found its way into the 'Leges Henrici I.,' a contemporary compilation which I call **Hn.** Hn introduces rubrics of its own.[79] Hn's best codex is **Sc**, *i.e.* the first[80] entry in Scaccarii liber rubeus, fo. 16, written about 1230. A corrector emended some clerical errors and collated the other class of Hn-MSS., viz. the London one.[81] Sc is a good copyist of the Quadripartitus text, but still falls into a few errors.[82] Sc in its turn was copied by **Hg** f. 5, *i.e.* the MS. Hargrave 313, written about 1260, and in Simonds d'Ewes's book Harley 311 f. 40, both in the British Museum. The latter is collated with K2. The other class of Hn's MSS., viz. the London one, deviates as far as our charter is concerned in most respects[83] from Hn, tending towards the Westminster class (*See* below, 27). While Hn used the earliest Quadripartitus edition, those MSS. of Quadripartitus itself which contain our charter belong to two later editions.[84] One of them is represented by the Cottonian codex Titus A 27, f. 152, of about 1220, called **T.**[85] The other exists in four MSS., viz. **M** f. 81v., written about 1150, once Macro's, now Mr. J. H. Gurney's;[86] **Hk** f. 100, written about 1200, i.e. no. 228 at Holkham; **Br**, i.e. Bromton's chronicle,[87] edited by Twysden, and **Fr.**[88] Fr was written by a French[89] clerk in the beginning of the thirteenth century.

[78] See above, 12, 19. [79] See above, 14.

[80] Carefully to be distinguished from Sc 2; above, 21.

[81] *et assensu*, 1. [82] *iniuste* is omitted, 1, 2; cf. *servabit*, 4; *iustus*, 4, 1.

[83] Lond. agrees however with Hn = Quadr. in *suppono*, 1, 2; *sicut benignitas*, etc. 11. [84] Cf. my *Quadr.* p. 64–70.

[85] T writes *cum dono*, 6; *acta*, 9; and omits *eius*, 7, 1.

[86] M writes erroneously *debeantur*, 6, and omits *meorum*, 7.

[87] Br. omits *regni*, 1; *omnes*, 1, 2; adds *fore istas*, 1, 2; cf. above, 17.

[88] Fr. omits *sive uxor*, 4, 1, together with M and Br.

[89] He writes *Edovard*.

It is preserved in the French archives and thence printed by A. Teulet.[90] According to Mr. H. Hall[91] it was drawn up most likely in 1216–7 for the information of Lewis (VIII)'s English government. Fr omits and corrupts a good deal,[92] but at other places seems to attempt refinements of style.[93] Variations occurring in Sc and the four Quadripartitus MSS. will be noted under the symbol 'Quadr.'

27. vii. The last class, which according to the two reasons given above [20] is to be localised at Westminster,[94] may be called **West**. It is represented by several classes of MSS. The oldest is *Registrum* vetus *episcopatus Glasguensis*, f. 25, written about 1225. Its edition, by C. Innes,[95] will be collated below under the symbol **Gl**. It has omissions,[96] additions,[97] and alterations[98] which are in no other MS. In one case Gl reads *esse concedo* instead of *facio*, where Haug also has *concedo* [1, 1]. I formerly thought this was a reason for presuming that Gl and Haug were akin. If so, Gl would have used two classes of MSS.[99] But this coincidence may be a mere chance.[100]

In the 'Leges Anglorum saec. XIII in. Londoniis collectae,'[1] which I shall call here **Lond**, the Guildhall compiler included the 'Leges Henrici,' of which our charter forms the first and second chapter. Lond. offers however, besides Quadr.-variations,[2] West.'s two characteristic interpolations, viz. the monks' privilege and Crispin. It clearly uses two different versions. As it commits errors of its own,[3] it cannot have been the source of the other MSS. It exists in three

[90] 'Layettes du Trésor des chartes' (Inventaires et Documents), i. p. 34.

[91] *English Hist. Rev.* 1894, 326. This paper drew my attention to Fr.

[92] *tam Francis*, Prol.; *eius*, 1, 1; *cum terra sua*, 3, 2; *mortuo marito*, 3, 3.

[93] See above, 17.

[94] The remaining deviations of West. are but trifling; it leaves out four witnesses and the last line, it alters *quoniam*, 1, 1; *hiis*, 6.

[95] For the Bannatyne Club, ii. p. 591, with facsimile; cf. i. p. x. ('12th cent.') liii.

[96] *malas consuetudines*, 1, 2; *toto* 12.

[97] *aliorum*, 8; and see above, 17.

[98] *quidem*, 5; *recte*, 9.

[99] As Lond certainly did.

[100] Above, 16.

[1] Cf. my *Über die Leges*, etc. p. 70.

[2] Above, 26.

[3] *et gentes*, 7, 1; *prompti*, 11; and above, 17.

Guildhall volumes of the first half of the fourteenth century, viz. **K2** (Cotton Claudius D II, f. 44),[4] **Co** (Corpus College Cambridge 70, p. 76), and **Or** (Oriel College, Oxford, 46 f. 39). Here, as in other pieces of this compilation, Or is nearer akin to Co than to K2.[5] Co was collated, by a contemporary corrector, with T or a text almost identical with T.[6] A variation occurring in K2, Co, Or will be ascribed to Lond, in the footnotes below.

Another class of **West.** manuscripts is represented by Hl and S. By **Hl** I designate Harley 458, f. 3, of the beginning of the thirteenth century.[7] By **S** editors are used to denominate Harley 746, f. 59, of the fourteenth century.[8] Readings common to Hl and S may, as these two MSS. do not depend on each other, be ascribed to their lost source, **hls.**

Vl, Cotton Vitellius E. V., f. 180 (formerly 166),[9] of the sixteenth century, seems to be a slavish copy of S, judging from characteristic faults in this and seven other Anglo-Norman legal pieces contained in both.

Cant,[10] Cotton Vespasian C.XIV., f. 129, was written in the beginning of the seventeenth century. The copyist contends in the heading that the monks' privilege concerned Canterbury, most probably only because he drew our charter, as he himself says, *ex libro cartarum archiepiscopatus Cantuariensis.*[11]

28. Hl, f. 4 contains a French translation of the charter. I shall call it **Hlf.** Its handwriting is of the middle of the thirteenth century. As Hlf does not share all the errors of Hl,[12] the translator must have inspected Hl's source again. I subjoin this translation to my text below. I owe a complete copy to the kindness of Miss M. T. Martin.[12a]

[4] Without connection with K 3, the later entry in the same volume, above, 21.

[5] *de*, 1; *vero*, 10. [6] See last line and my *Über die Leges*, p. 2.

[7] Hl skips a line in 3, 3, and extends the compendium *G* among the witnesses erroneously into *Galfrido.*

[8] S alone reads *misericordia* in the prologue.

[9] The volume was confusedly bound, and afterwards damaged by fire.

[10] I owe some excerpts to the kindness of Miss Martin.

[11] See above, 3.

[12] *hominibus*, Prol.; the line 3, 3, wanting in Hl, is in Hlf.

[12a] Mr. H. Hall has been good enough to collate the proof.

The translation is verbal; date and witnesses are omitted and very few insignificant words[13] added. The word *praesens*, which in 14*a* has a local meaning, is translated by *ore*, as if it were temporal. Though the spelling sometimes shows a tendency to approach the French *κοινή*, as a rule the Norman vowels are clearly to be distinguished; cp. the *u* instead of Parisian *o* or *ou*, *-ouent* for *-oient*, *-ein* for- *ain*, and *-eit* for *-ait*.[14] For *eius anima* the translator writes *s'arme*. The dictionaries notice this form for *âme*, as they do some other words which do not seem to be very often used.[15] As the Anglo-Saxon words *lage* and *geld*[16] are retained, it is clear that the translation was addressed to Englishmen. Hlf *may* be a mere copy of a lost original. But we look in vain for forms which had become obsolete by the middle of the thirteenth century.[17] That Hlf was rather the translator's autograph appears probable from four places where some letters with which he at first intended to begin a word have been crossed out and replaced by others, while, as it would seem, the work was still in progress.[18]

[Prof. H. Suchier, of Halle, who has been good enough to look through the French text,[19] kindly informs me that the translator's home was Normandy, and not England. Forms like *purtenouent* for *-eient*, *muirt* for *muiret*, *muneur* for *muneeur*, look Anglo-Norman indeed; but the *ie* correctly preserved in twenty places seems too good for an Englishman, who would have been sure sometimes to substitute an *e*. Nor do we meet with the English way of spelling *aun*, *-tz*, and *ai* instead of *an*, *-z*, and *ei*. The cancelled letters *fach* also

[13] *mult; sun* after *tresque*, 1, 1.

[14] *curuné*, 1; *amur, vus*, 1, 1; *custumes*, 1, 1; *seignurs, lur*, 2, 1; *durai, duaire*, 3, 3; *puint, sulunc*, 8; *ancesurs*, 8, 1; *purtenouent*, 6; *pcis*, 12; *seinte*, 1, 1; *eit* 8.

[15] *nundreiturel*, 1, 1 (see Godefroy, s. v. *nondroiturier*); *acovenancier* 6 (see *aconv.*); *enmaladir*, 7; *ne* for modern *ni*, 7, 1. [16] 9. 13; 11.

[17] The sporadic.l dental at the end of *amenderat* or the retention of *al, el* (for later *au, eu*) in *altres*, 3, 2, *altrui* 6, *mielz* 6, proves nothing.

[18] See notes 5, 9, 11, 13.

[19] For some forms which puzzled me, as *veille* (for *vueille*), and *preccin* (for *prvc.*), this scholar quotes parallels from his unequalled knowledge of the Middle-French language.

betray a Norman hand intending to write *fache*, while the Anglo-Norman form would have been *face*.]

29. The charter has been printed at least 32 times; among them 18 times from St. Albans MSS. Archbishop Parker edited it in 1571 [20] in his 'Matthew Paris,' from Albpa and Alpb. Two reprints appeared at Zürich in 1589 [21] and 1606. Wats edited 'M. Paris' anew in 1640, and his edition was reprinted at Paris in 1644, and at London in 1684. The French and the English translators of 'Matthew Paris,' Huillard-Bréholles and Giles, used Wats. Coxe and Hewlett edited the charter in their editions of Wendover; Madden and Luard in theirs of 'Matthew Paris.' In Twysden's 'Historiæ Anglicanæ scriptores X' it was published [22] in 1652 from Haugustaldensis (now superseded by Raine's [23] and Howlett's editions) and from Bromton; Hearne published it from H in his 'Textus Roffensis' in 1720. This text was repeated by Blackstone in 1759,[24] whom Stubbs [25] in 1874 followed. Innes printed Gl in 1843, and Teulet Fr in 1863.

30. While the precedent editions each adhere to one manuscript, the following editors give a few variations from different versions. R. Twysden edited for Wheloc's collection,[26] printed in 1644, 'Leges Henrici' from Sc, and collated their text of our charter with Sc 2 and M. Paris. Somner [27] edited these Leges again, adding a collation of the charter from H. In the 'Statutes of the Realm' [28] it was printed in 1810 from H and collated with Sc and Sc 2 (which are there called R1 and R2). Thorpe [29] repeated in 1840 Somner's work, adding but a few readings from K2, while Schmid [30] collated in 1858 all the prints (Haug excepted). Lastly, Bémont [31] gave, in 1892, Blackstone's text, collated with Sc.

[20] P. 73 a. 1100 and p. 321 a. 1213.
[21] P. 53. 230.
[22] C. 310. 1021.
[23] Surtees Soc. 44 a. 1864. Stevenson translated Richard of Hexham.
[24] *The Great Charter*, p. iv. n. 2.
[25] *Select Charters*, p. 100.
[26] *Lambardi Archaionomia*, p. 175.
[27] His work appeared in 1721 in Wilkins's *Leges Anglo-saxonicae*, p. 233.
[28] i. *Charters*, p. 1.
[29] *Ancient laws*, fol. p. 215.
[30] *Gesetze der Angelsachsen*, 432.
[31] *Chartes des libertés Angl.* p. 3. He sometimes confuses Sc and Sc 2.

31. My text retains the orthography of H, which I had intended to choose as a basis, but found in the course of my work often enough reason to deviate from. I shall relegate H's readings into the footnotes wherever they are certainly not authentic, on account of internal evidence, or most likely not, because they stand alone against those of several of the other classes of manuscripts.

Prol.][1] Henricus[2] Dei[3] gratia[4] rex Anglorum[5]

Worcestershire.	*Hertfordshire.*	*Roch. Haug. Dm. Quadr. Westm.*]
[Samsoni episcopo et Ursoni de Abetot et omnibus baronibus et fidelibus suis tam Francigenis quam Angligenis de Wirecestrescira	Hugoni de Boclande vicecomiti[6] et omnibus fidelibus suis tam Francis[7] quam Anglis in Hertfordscire[8]	omnibus[9] baronibus[10] et fidelibus suis[11] tam[12+] Francigenis[13] quam[14+] Anglis[15+]

salutem.

[1] Sciatis me Dei[16+] misericordia[17] et[18] communi consilio[19] baronum[20+] regni[21] Angliæ eiusdem[22] regni[23*] regem corona-
[1, 1] tum[24] esse. Et quia[25] regnum oppressum erat iniustis[26] exactionibus,[27] ego, respectu[28+] Dei et amore[29] quem erga[30] vos omnes[31*] habeo,[32] sanctam[33] Dei[34] æcclesiam imprimis[35]

[1] Carta regis Henrici I, filii regis Willelmi, de libertatibus concessis Anglis. Et habuit quilibet comitatus talem *Sc* 2; Institutiones Henrici regis *H. M. Hk*; Incipiunt leges H. r. Anglorum *T*; Magna carta H. I. r. Anglie *Gl.* [*Rubrae in Sc. Lond. pertinent ad* '*Leges Henrici.*'] [2] primus *add. Albpb. Albh.*; Anno incarnationis dominicæ MCI. [*sic*] Henricus, filius Willelmi regis, post obitum fratris sui Willelmi, Dei g. *hrl* [3] D. g. *om. Sc* 2. [4] misericordia *S.* [5] Anglie *Alb.* [6] iusticiario Anglie *Albwb. Albpb.* [7] Francigenis *Albwb. Albpb.* [8] Heref. *Albwa. Albpa. Albh*; Herif. *Albpb.* [9] hominibus *add. Hl*; comitibus *add. S.* [10] b. et *om. hrl. Haug.* [11] s. t. F. q. A. *om. hrl.* [12] *om. Quadr*; t. F. q. A. *om. Fr.* [13] Francis *Quadr. Lond. S.* [14] et *Quadr.* [15] Anglicis *Haug. Gl. hls. Cant.*; totius Anglie *add. Haug.* [16] m. D. *Haug*; de *Co. Or.* [17] gratia *Dm.* [18] *om. Dm.* [19] et assensu *add. Lond*; *add. inter lin. Sc.* [20] totius *add. hrl*; meorum *add. Br. Lond.* [21] regno *T*; *om. Br.* [22] e.r. *om. Albwa. Albpa. Albh.* [23] *om. Sc* 2. *hrl. M*; *inter lin. Sc.* [24] e.c. *Alb.* [25] quoniam *Dm. Gl. Lond*; quod *Hl.* [26] occasionibus et *add. Lond*; multis *Dm.* [27] actionibus *Haug.* [28] D.r. *hrl*; misericordie *add. Lond.* [29] amoris *Br.* [30] illos et *add. Lond.* [31] *om. Sc* 2. *hrl. Br.* [32] gero *Br.* [33] ī cām *Lond.* [34] ec. D. *Gl. om. Albwa. Albpa.*

liberam facio:[36+] ita quod nec[37*] vendam nec ad firmam ponam nec, mortuo archiepiscopo sive[38+] episcopo sive[39+] abbate, aliquid[40] accipiam[41] de dominio[42] æcclesiæ vel de[43]
[1, 2] hominibus eius,[44*] donec successor in[45] eam ingrediatur. Et omnes[46] malas consuetudines, quibus regnum Angliæ iniuste[47] opprimebatur, inde aufero: quas[48] malas[49] consuetudines ex[50] parte hic[51+] pono:[52]

[2] [53] Si quis[54] baronum meorum,[55+] comitum sive[56+] aliorum qui de me tenent, mortuus fuerit, hæres suus[57] non redimet[58] terram suam, sicut faciebat[59+] tempore fratris[60] mei, sed
[2, 1] legitima[61*] et iusta relevatione[62] relevabit eam. Similiter et[63+] homines baronum meorum legitima[64*] et iusta relevatione[65] relevabunt[66] terras suas de dominis[67] suis.

[3] [68] Et si quis baronum[69+] vel aliorum[70] hominum meorum filiam suam nuptum[71] tradere[72] voluerit, sive sororem[73] sive neptem[74] sive cognatam,[75] mecum inde loquatur.[76+] Sed
[3, 1] neque[77] ego aliquid[78] de suo pro hac licentia accipiam, neque defendam[79] ei quin eam det, excepto si eam[80] vellet[81+]
[3, 2] iungere[82] inimico[83] meo. Et si, mortuo barone vel[84+] alio

[36] concedo *Haug*; esse concedo *Gl.* [37] eam *add. Alb. Haug. Br.* [38] seu *Sc* 2. *Sc. hls*; vel *Alb. Haug. Fr. Lond; om. Br. Gl.* [39] vel *Albwb. Albpb. Albh. Haug. Br. Sc. Fr.*; nec *Gl.* [40] quicquam *Albh*; inde *add. Lond. hls.* [41] de rebus ec. vel de ho. eorum accipiam, donec *Gl.* [42] dominico *Rl. Lond. S.*; dno *M*; rebus *Gl.* [43] *om. Sc. Br.* [44] *om. Alb. Haug*; eorum *Gl.* [45] eius *pro* in eam *Fr.* [46] *om. Br.* [47] *om. Albh. Sc.*; o.i. *Albwb. in ed. Hewlett.* [48] quidem *add. Br.* [49] m.c. *om. Gl.* [50] in *Alb.*; expono hic partes *Haug*; ex p. *om. Br.* [51] *om. Quadr.* [52] suppono *Quadr. Lond.*; fore istas *add. Br.*

[53] De releviis dandis *manus post. in marg. add. Sc* 2. [54] aliquis *Haug.* [55] c. m. *hrl*; vel *add. Haug*; sive *add. Gl*; seu *add. Or.* [56] vel *Alb.* [57] eius *Fr.* [58] -mat *Haug. Br.* [59] facere consueverat *Alb*; in *add. Co.* [60] patris *Alb.* [61] iusta et leg. *Albwa. Albh. hrl. Lond.* [62] revela. revelabit *Sc* 2. [63] *om. Haug.* [64] iusta et leg. *hrl. Lond.* [65] revela. revelabunt *Sc* 2. [66] -bit *Or.* [67] dominiis *Gl.*

[68] De mulieribus maritandis *add. m. post. in marg. Sc* 2. [69] meorum vel a. [*om. Fr.*] hom. [h. a. *Gl*]. fi. *Sc* 2. *Fr. Gl. Lond.* [70] *om. Quadr*; h. a. *Gl.* [71] *om. Alb.* [*sed vide ann.* 75]; nuptui *Haug. Br. Lond.*; nubitum *Sc*; nuptiis *Fr*; nuptam *Gl.* [72] v. t. *Albh.* [73] suam *add. Lond.* [74] -tim *hrl*; -tam *Gl. Co. Or.* [75] nuptui *add. Albh. Albwa.* [76] loquetur *Haug.* [77] nec *Co. Or.* [78] pro hac li. de s. al. *Fr.* [79] ei d. *Sc.* [80] ea *H.* [81] iu. v. *Haug. Sc. hls.*; velit *M. Lond*; voluerit *Br*; *pro* v. i. *habet* dare vellet *Albwb. Albpb.*; dare voluerit *Albwa. Albpa. Albh*; dare velit *Fr*; nubere voluerit *Gl.* [82] *om. Alb. Fr. Gl.* [83] m. i. *Lond.* [84] meo vel a. ho., fi.

homine meo,[85] filia hæres remanserit, illam [86] dabo [87] consilio
[3, 3] baronum meorum cum [88] terra sua. Et si, mortuo [89] marito,[90+] uxor eius [91+] remanserit [92] et sine liberis fuerit, dotem suam [93+] et maritationem [94] habebit ;[95] et [96] eam non dabo marito [97] nisi secundum velle suum.

[4] [98] Si vero uxor [99] cum liberis remanserit, dotem quidem [100+] et [1] maritationem [2] suam [3+] habebit, dum [4] corpus suum legitime servaverit ;[5] et eam non dabo [6] nisi secundum velle
[4, 1] suum. Et [7] terræ et [8] liberorum custos erit sive [9] uxor sive [10] alius [11] propinquorum, [12] qui iustius [13] esse debebit.[14+]
[4, 2] Et precipio ut [15] barones [16] mei similiter [17] se contineant [18] erga filios et [19+] filias vel [20] uxores hominum suorum.

[5] [21] Monetagium commune [22] quod capiebatur [23] per civitates et [24+] comitatus, quod non fuit tempore regis [25*] Eadwardi,[26] hoc
[5, 1] ne amodo sit,[27*] omnino defendo.[28] Si quis captus [29] fuerit,[30] sive monetarius sive [31] alius, cum falsa moneta, iusticia [32] recta inde fiat.

[6] Omnia placita et omnia [33] debita quæ [34+] fratri meo debe-

Sc 2 ; sive *superscr. Rl* ; sive *H.* [85] *om. Sc.* [86] d. i. *Alb* ; illam—remanserit *om. M. Br. Or.* ; eam non dabo marito nisi secundum consilium ba. *Fr.* [87] cum *add. Alb.* [88] c. t. s. *om. Fr.* [89] mo. ma. *om. Fr.* [90] viro *hrl.* [91] *om. Sc* 2. *Fr.* ; r. ei. *Haug.* [92] absque *pro* rem. et s. *Fr.* [93] do. et ma. su. [*om. Br.*] ha. *Quad. Gl.* [94] suam *add. Rl* ; maritagium *Alb. S* ; maritagium suum *Fr.* [95] dum corpus suum legitime servabit *add. Albpb.* [*ex art.* 4] [96] et—habebit [*art.* 4] *om. Hl.* [97] *om. Fr.*

[98] De custode terre et heredis, mortuo tenente regis *add. m. post. in marg. Sc* 2. [99] cum li. uxor *Fr.* [100] *om. Alb. Fr.* [1] suam et ma. ha. *Alb. Lond* ; in *Albwb.* [2] maritagium *Alb. S* ; mariat. *Fr.* [3] *om. hrl. Gl* ; *superscr. Sc* 2. [4] modo *add. Br* ; uxor *add. Sc.* [5] servabit *Albw. Albp. Sc* ; custodierit *Lond.* [6] marito *add. Albwb. Albp. Fr.* [7] *om. Gl.* [8] *om. Alb. Haug. Co. Or* ; vero *Gl.* [9] s. u. *om. M. Br. Fr.* [10] aliquis *add. Lond.* [11] aliquis *Fr.* [12] -quiorum *Co* ; -quior *Alb. Fr. K* 2. *Co* ; -quarius *hrl.* [13] iustus *Sc.* [14] debet *Alb* ; debeat *hrl.* [15] quod *Gl. Lond* ; omnes *add. Lond.* [16] homines *Albwa. Albpa. Albh.* [17] *bis scr. Sc* 2 ; consimiliter *Br.* [18] -nent *Br.* [19] vel *Haug. Sc. T. Gl.* [20] et *Albwa. Albpa. Albh. Br. Fr. Lond.*

[21] Et *add. Lond.* [22] quidem *Gl.* [23] capiatur *Br* ; capiunt *Fr.* [24] per *add. Haug. Quadr.* [25] E. r. *Sc* 2 ; Ædw. r. *M* ; Edw. r. *Alb. Sc. Br* ; Edouardi r. *Fr.* [26] *ita Sc* 2 ; Edw. *reliqui.* [27] fiat *Alb. Quadr. Gl.* [28] -nsio *M.* [29] monetar. s. a. c. f. moneta ca. fuerit, iu. *Gl.* [30] fuit *Lond.* [31] aliquis *add. Lond.* [32] r. i. *Br* ; iustum *pro* iu. re. *Fr.*

[33] *om. Dm.* [34] regi *add. Alb.*

bantur[35] condono,[36] exceptis rectis[37] firmis[38] meis[39] et exceptis illis quæ pacta[40] erant pro aliorum hereditatibus vel
[6, 1] pro[41] eis[42+] rebus quæ[43] iustius[44] aliis[45] contingebant. Et si quis[46] pro[47] hereditate sua aliquid pepigerat,[48+] illud[49] condono et omnes relevationes[50] que pro[51] rectis[52] hereditatibus[53] pacte erant.[54+]

[7] Et si quis baronum vel[55] hominum meorum[56] infirmabitur,[57] sicut ipse dabit vel dare disponet[58+] pecuniam suam,
[7, 1] ita datam esse concedo. Quodsi ipse[59] preventus vel[60+] armis vel infirmitate pecuniam suam non[61+] dederit nec[62+] dare disposuerit, uxor sua sive[63] liberi aut parentes[64] aut[65*] legitimi homines[66] eius[67] eam[68] pro anima eius[69] dividant, sicut eis[70*] melius visum fuerit.

[8] [71] Si quis[72] baronum[73] vel[74] hominum meorum[75] forisfecerit,[76] non dabit vadium in misericordia[77+] pecuniæ sue,[78] sicut faciebat[79] tempore[80] patris[81] mei[82+] vel[83+] fratris mei,[84] sed secundum modum[85+] forisfacti[86] ita[87] emendabit sicut

[35] debebant *Haug*; debeantur *M*; debentur *Sc. Br.* [36] cum dono *T*; *corr. ex* cum dono *Cant.* [37] *om. Alb.* [38] *superscr. H.* [39] *om. Sc* 2. [40] pro al. her. et heredibus pa. er. vel pro *Lond.* [41] *om. Dm.* [42] hiis *Dm. Westm*; illis *Alb. Br*; aliis *Fr. Cant.* [43] *om. Gl.* [44] iuste *Haug.* [45] alios *Albwa. Albpa.* [46] aliquis *Fr.* [47] *om. H*; aliquid pro h. s. *Alb. Sc.* [48] -git *Haug*; -gerit *Dm. T. Lond*; vel porrexerit *add. Co.* [49] id *Dm.* [50] revelat. *Sc* 2. [51] *om. Br. Fr.* [52] rectibus *Cant*; iustis *Dm.* [53] -tationibus *Sc* 2; heredibus *Lond; desinit Dm.* [54] fuerant *hrl*; sunt. erant *Sc* 2. [55] meorum vel [aliorum *add. Gl. Lond*] ho. [meorum *add. Fr*] inf. *Br. Fr. Gl. Lond.* [56] *om. M.* [57] -matur *Fr.* [58] -posuerit *Alb*; -posuit *Fr. Hl*; -nat *Br.* [59] morte *add. Br.* [60] *om. hrl*; vel a. vel i. prev. pec. *Lond.* [61] nec *Sc* 2. *Albwb. Albp. Hl.* [62] vel *hrl. Haug.* [63] *corr. ex* vel *H.* [64] leg. ho. aut pa. ei. *Br.* [65] et *Alb. hrl. Haug. Gl.* [66] *om. Fr*; et gentes *add. Lond*; heredes *minus recte supplet Teulet, et emendare velit Bémont.* [67] sui *Albwa. Albpa. Albh.* [68] *om. Quadr*; pro a. ei. eam di. *Alb.* [69] *om. T*; sua *Gl.* [70] m. eis *Sc* 2. *Haug. T. Br. Fr.* [71] Et *add. Haug.* [72] meorum *add. Hl*; hom *add. sed punctis suppositis del. Sc.* [73] meorum *add. Gl. Lond*; b. v. h. m. *om. hrl.* [74] aliorum *add. Gl.* [75] *hic om. Gl.* [76] foref. *Gl.* [77] totius *add. Quadr. hls*; totus *M*. [Cf. Dial. Scacc. ii. 16, 'in misericordia regis de pecunia idem est ac si "de tota" dixissent.'] [78] *om. hrl. Br. Gl.* [79] temp. p. m. vel fr. m. assuetum erat, sed *Lond.* [80] fratris *add. sed punctis suppositis del. Sc.* [81] fra. vel p. mei *Gl.* [82] *om. Alb. Hl.* [83] et *Albwb. Quadr* [84] *om. Haug.* [85] f. m. *Haug*; forisfacture mo. nec ita *Alb.* [86] -ctum *Sc* [87] em. ita *Hl.*

emendasset retro a tempore patris mei[88] in[89] tempore
[8, 1] aliorum[90] antecessorum meorum. Quodsi[91] perfidiæ vel sceleris[92] convictus[93] fuerit, sicut[94] iustum[95] fuerit,[96•] sic emendet.[97]

[9] [98]Murdra[99] etiam retro[100] ab illa[1•] die qua[2] in regem[3] coronatus fui omnia[4+] condono; et[5] ea quæ amodo facta[6] fuerint[7] iuste[8] emendentur[9] secundum lagam[10] regis Eadwardi.[11]

[10] Forestas[12] communi[13+] consensu[14] baronum meorum in manu mea ita[15+] retinui,[16] sicut pater meus eas[17+] habuit.[18]

[11] Militibus qui[19] per loricas terras suas deserviunt[20•] terras[21] dominicarum carrucarum suarum[22] quietas[23] ab omnibus geldis[24•] et ab[25+] omni opere[26] proprio[27+] dono[28] meo[29] concedo, [30]ut,[31] sicut[32] tam[33] magno gravamine[34] alleviati[35] sunt, ita[36+] equis[37] et armis se[38] bene instruant,

[88] et *add. Co. Or*; vel fratris *add. Albwa. Albpa. Albh*; et fratris mei *add. Quadr.* [89] in t. *om. Alb.* [90] *om. Gl. Co. Or. Hl*; al. ant. me. *om. Albwa. Albpa. Albh.* [91] Et si *Gl.* [92] cel. *Rl. Fr.* [93] *superscr. super* damnatus *Hl.* [94] s. i. f. *om. Haug.* [95] erit culpa *pro* iu. fu. *Alb.* [96] erit *Alb. Quadr.* [97] -dabit *Albh. Lond.*

[98] De confirmatione legum Edwardi regis *rubra Sc, unde al. editores hinc alterum caput incipiunt.* [99] Murthra *Gl.* [100] ab i. die retro q. *Lond. Hl.*; que ab ipso d. re. quo *Gl*; quam *add. Fr.* [1] illo *Albwb. Albpa. Albh. hrl. M. Br. Lond*; ipso *Gl*; ipsa *Hl.* [2] quo *Albwb. Sc. Gl. Lond.* [3] rege *T.* [4] omnino *Sc* 2. *Fr.* [5] sed *Albh.* [6] acta *T.* [7] sunt *Hl.* [8] em. iu. *Lond*; recte *Gl.* [9] -detur *Sc* 2; -dantur *Sc.* [10] legem *Lond.* [11] *ita Sc* 2; Ed. *M*; Edovardi *Fr*; Edw. *reliqui.*

[12] vero *add. Co. Or.* [13] omni *hrl. K* 2. *Or*; omnium *Co.* [14] consilio *Alb*; concessu *Fr*; assensu *Gl*; assensu et communi consilio [cons. com. *Co. Or.*] *Lond.* [15] *om. hrl. Lond*; sic *Quadr.* [16] tenui *Sc* 2 [*sed* retinuit *recte Flor. Wig.*]; constitui *Gl.* [17] *om. Sc* 2. [18] et retinuit *add. K* 2. [19] autem *Lond.* [20] defendunt *Alb. hrl. Br*; defendunt et des. *Lond.* [21] terram dominicorum *Fr.* [22] suas *Rl.*; *om. Sc* 2. [23] -tam *Fr.* [24] gildis *hrl. M*; gyldis *Br.* [25] *om. hrl. Albwa. Albp. Albh. Br.* [26] *om. Albpa*; tempore condono et proprio *Albh.* [27] *om. Sc* 2. [28] m. d. *Pr.* [29] omnino *add. Lond.* [30] ita *add. Gl.* [31] sicut benignitas mea propensior est in eis [meis *pro* in eis *M*], ita michi fideles [fideliores *Lond*] sint et *add. Quadr. Lond.* [32] a *add. F.* [33] tamen *T*; ita *Br.* [34] allevamine *hrl.* [35] -vati *Sc. Gl*; alienati *Fr*; s. al. *Hl.* [36] in *Alb. Fr.* [37] se eq. et a. b. *hrl*; ar. et eq. *Gl.* [38] b. se *Albwa. Albpa. Albh. Fr. Lond.*

ut[39] apti[40] et[41+] parati sint ad servitium meum et ad[42] defensionem regni mei.

[12] [43]Pacem firmam in[44+] toto[45] regno meo pono et teneri amodo precipio.

[13] Lagam[46] regis[47] Eadwardi[48] vobis reddo[49] cum illis emendationibus quibus pater[50] meus eam[51] emendavit[52+] consilio baronum suorum.[53]

[14] Si quis[54] aliquid[55] de meo[56+] vel de rebus alicuius post obitum regis[57*] Willelmi,[58+] fratris mei, cepit,[59] totum cito
[14, 1] reddatur[60] absque[61+] emendatione. Et si quis inde[62] aliquid[63] retinuerit, ille super quem inventum[64] fuerit graviter[65] michi[66] emendabit.[67]

[*Test.*]

[*Worc.*
Test. Mauricio Lundoniensi episcopo et Willelmo electo Wintoniensi episcopo et Gerardo Herefordensi episcopo et Henrico comite et Simone comite et Waltero Gifardo et Roberto de Munforde et Rogero Bigodo et Eudone dapifero et Roberto filio Hamonis et Roberto Malet.

Herts.
[68]Testibus Mauricio Lundoniensi episcopo, Willelmo Wintoniensi electo, Gerardo Herefordensi episcopo, Henrico comite, Simone comite, Waltero Giffard comite et Rodberto de Monteforti, Rogero Bigodo et aliis[69] multis.

Roch.]
Testibus M. Londoniæ episcopo et Gundulfo episcopo et Willelmo electo episcopo et Henrico comite et Simone comite et Waltero Giffardo et Rodberto de Monfort[70] et Rogero Bigoto et Henrico de Portu.

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[39] ut a. et p. s. *om. hrl*; prompti et *add. Lond.* [40] par. et a. sint *Lond.* [41] sint et pa. ad *Haug.* [42] *om. T. Gl.*

[43] *hanc sententiam om. Quadr.* [44] pono in t. r. m. et *Alb.* [45] *om. Gl.* [46] Et legem *Lond.* [47] E. r. *hrl.* [48] *ita Sc* 2; Ædw. *M*; Edoua. *Fr*; Edw. *reliqui.* [49] concedo *Fr.* [50] eam em. p. m. cons. *Sc*; eam p. m. em. cons. *M. Br. T. Fr.* [51] *superscr. H.* [52] cum *add. Sc* 2. *Lond.* [53] meorum *M. Br. Gl*; meorum *add., sed punctis suppositis del. Sc.*

[54] aliquis *Fr.* [55] de m. al. vel *T*; *om. Gl.* [56] rebus meis *hrl.* [57] W. r. *Sc* 2. *hrl*; *om. Quadr.* [58] fr. m. W. *Quadr.* [59] cꝑit *H*; ceperit *Fr. Gl. Lond*; ecclesie *add. Gl.* [60] reddat *Quadr*; sine em. r. Et *hrl.* [61] sine *hrl. Br.* [62] *om. Br*; a. i. *Fr. Co. Or.* [63] *om. Gl.* [64] f. i. *M. Br.*; inve. *bis scr., sed punctis suppositis del. Sc.* [65] m. g. *H*; g. m. *om. Rl.* [66] *om. Gl.*

[67] Presentis vero ecclesie monachis libertates [et *add. Or*; dig., lib. *Cant.*], dignitates regiasque [regias quoque *S*] consuetudines sibi per cartas regum olim confirmatas concedo *add. Westm.*

[68] His *add. Albwa. Albpa. Albh.* [69] a. m. *verba, ut videtur, annalistae S. Albani.* [70] Mumf. *Rl.*

Test.]	[*Haug.*	*Quadr.*	*Westm.*]
	Teste Mauricio Lundoniensi episcopo et Willelmo electo Wintonie episcopo et Gerardo Herfordensi episcopo et Henrico comite et Simone comite et Waltero comite Gifardo et R. de Muntfort et Eudone dapifero et Rogero Bigoto.	Testibus archiepiscopis,[71] episcopis, comitibus,[72] baronibus, vicecomitibus et optimatibus totius regni Anglie.	Testibus [73] Mauricio [74] Lundoniensi episcopo et [75] Willelmo electo [76] Wintoniensi episcopo [77] et G.[78] Herefordensi episcopo et [79] G. abbate Crispino et [80] Simone comite et [81] Henrico comite et [82] Waltero comite [83] Giffard et [84] Rodberto de Munforde.

[*Dat.*] Apud [85] Westmonasterium,[86] quando coronatus [87] + fui. Valete ! [88] *

Norman-French Translation [1] of Henry I.'s Coronation Charter

[*Prol.*] Henri, par la *gr*ace de Deu rei d'Engle*terr*e, a tuz ses barons e a ses feals, Franceis e Engleis, saluz.

[1] Sachiez, ke jo p*ar* la misericorde de Dex e p*ar* le co*m*mun cunseil des barons del reaume d'Engle*terr*e sui de meimes le
[1, 1] reaume rei curune ; e ke le reaume fu m*ul*t g*r*eve de nun-dreit*ur*eles demandes ; e jo, p*ar* le regard de Deu e p*ur* l'am*ur* ke jo ai *ver*s *v*us tuz, tut al cum*en*cem*en*t fai seinte eglise franche : si ke jo ne la venderai ne a ferme ne meterai ne, se arcevesq*ue* muirt u evesq*ue* u abbe, jo ne p*r*enderai rien del demeine de l'eglise u de ses hu*m*mes, tresq*ue* sun
[1, 2] successur i seit entre. E tutes les males c*us*tumes, dunt le reaume d'Engle*terr*e fu a tort greve, joes [2] en ost : lesq*ue*les males c*us*tumes jo met a p*ar*tie.

[71] *hanc testium seriem fortasse scriptor Quadripartiti composuit.* [72] *ita T. Br. ; om. Sc. M. Fr.* [73] Testimonio *Cant.* [74] ecclesie *add. Gl.* [75] *om. Gl. Lond.* [76] W. el. *Lond.* [77] *om. Gl.* ; ep. et *om. Lond.* [78] Galfrido *Hl.* [79] et G. *om. Lond.* ; et G. a. C. *om. Or.* [80] *om. Lond.* [81] *om. Gl. Lond.* [82] *om. Lond.* [83] filio *Gl* ; G. c. *Cant.* [84] et R. de M. *om. Gl.* [85] *hanc lineam om. Alb. Haug.* [*ubi tamen* Valete] *Westm.* ; A. W. q. c. fui *add. manus post.* [*fort. ex T.*] *Co.* [86] Londoniam *hrl.* [87] f. c. *hrl.* [88] *ita Sc 2. Haug ; om. hrl. Quadr.*

[1] Here printed from Hlf ; see above 28. I put italics where the MS. has a compendium, and *u* for the vowel, *v* and *j* for the consonant, while the MS. reads *u*, *v* and *i* indiscriminately.

[2] *i.e.* joe les, *ego illas.*

[2] Se nul de mes barons u de cuntes u de altres qui de mei tienent seit mort, sun heir ne rachatera pas sa terre, sicum il faseit al tens mun frere, mes par leal e dreiturel relief la
[2, 1] relevera. Ausi les hummes a mes barons par leal e dreiturel relief releverunt lur teres de lur seignurs.

[3] E si aucun de mes barons u de mes autres hummes veille sa fielle[3] marier u sa suer u sa nicce u sa cusine, si en
[3, 1] par[ler]ont[4] od mei. Ne jo pur ces cungie rien del suen ne prenderai, ne ne li defenderai, ke il ne la duinst, fors si il la
[3, 2] vosist duner a mun enemi. E si un de mes barons muirt u aucun de mes altres hummes, e fielle remaigne eir, jo la durai
[3, 3] od sa terre par le cunseil de mes barons. E si femme[5] remaint apres sun seignur e seit sanz heir,[6] ele avera sun duaire e sun mariage, e jo[7] ne la durai fors a sa volente.

[4] Mes si la femme remaint e eit heirs,[8] ele avera sun dueire e sun mariage tant cume ele leaument se tendera; e jo ne la
[4, 1] durai fors a sun voleir. E garde de la terre[9] as heirs sera la femme u aucun de lur preceins ki mielz a dreit i devera estre.
[4, 2] E jo cumant ke mes baruns ausi se cuntiengent vers les fiuz e vers les fielles u vers les femmes a lur hummes.

[5] La cummune munee que hum perneit par les citez et par les cuntez, ke ne fu pas al tens le rei Edward, ke co ne seit
[5, 1] mes, jo le defend del tut. Ki ke seit pris, u muneur u altre, od false munee, dreite justice en seit fete.

[6] Tuz les plaiz e tutes les dettes ke hum deveit a mun frere jos parduins, estre mes dreites fermes e estre les choses que furent acovenancies pur altrui heritages u pur les choses ke
[6, 1] mielz a dreit purtenouent a altres. E si aucun eit rien acovenancie pur sun heritage, co li parduins jo, e tuz les reliefs que pur dreiz heritages furent acovenancies.

[7] E se nul de mes barons u de mes hummes enmaladira, sicum il dura u duner vodra sun aveir, eissi la grant jo estre
[7, 1] donee. E se il par arme u par maledie muirt despurveue-

[3] 'Cf. *dierre* pro *dicere* in R. Mont S. Michel 411'; Suchier.
[4] paront *ms.*
[5] reme *add. ms.*; *forsitan sequentis verbi primas litteras bis scripsit auctor.*
[6] liberis *Orig.* [7] The following line is wanting in III. [8] cum liberis *Orig.*
[9] des *add. sed linea transversa del. ms.*

*me*nt[10] ke il[11] sun aveir ne duinst ne ne devist, sa fe*m*me u ses eirs[12] u ses parenz e ses leaus humes le p*ar*tent pur s'arme, sicu*m*e mielz lur sera vis.

[8] Se nul de mes hu*m*mes u de mes barons eit forfait, il ne dura puint de gage en m*er*ci de sun aveir, sicu*m* al tens mun pere u mun frere, mes sulunc la maniere del forfait eissint l'am*en*derat, sicu*m* il l'eust amende avant le tens mun pere al
[8, 1] tens mes ancesurs. E se il est ateint de t*r*aisun u de felenie, sicu*m*e dreit est, si l'amend.

[9] Tuz les murdres, des icel jur en ariere q*ue* jo fui corune a rei, jos p*ar*duins ; *et* tuz ces q*ue* des ore en avant serunt fait,[13] p*ar* dreit soient am*en*dez sulunc la lage le rei Edward.

[10] Les forez p*ar* le cunseil co*m*mun de mes barons ai retenu en ma mein sicu*m*e mun pere les out.

[11] As chevaliers q*ue* des*er*v*en*t lur t*er*res p*ar* haub*er*cs jo lur g*r*ant p*ar* mun p*r*opre dun, ke lur t*er*res de lur demeines charues seient quites de tutes geldes e de tutes overaignes, ke, desi cu*m* il sunt de g*r*ant grief alegie, si s'ap*ar*eillent bien de chevals e d'armes, ke il seient prest e ap*ar*eillie a mun s*er*vise e mun reaume defendre.

[12] Jo met ferme peis en tut mun reaume e comand k'ele seit des or tenue.

[13] Jo v*us* rend la lage le rei Edward od celes amendes ke mun pere l'am*en*da p*ar* le cunseil ses baruns.

[14] Si nul hum[14] eit p*r*is rien deu mien u del altri puis la mort
[14, 1] le rei Guill'., mun frere, tost seit rendu sanz am*en*dement. Si nul rien en retient, celui sur ki il sera truve, grifm*en*t le m'am*en*dera.

[14*a*] [15] Jo g*r*ant as moines des eglises ke ore[16] sunt f*r*anchises e dignitez e reaus custumes q*ue* jadis lur furent *confer*mees p*ar* les chartres as reis.[17]

[10] desp*ur*venement *ms.* [11] fach *add. sed del. ms ; forsitan pro* disposuerit *auctor* fache, *i.e.* faciat, *scribere voluerat.* [12] liberi *Orig.*
[13] ios *add. sed del. ms.* [14] prist *add., sed del. ms.*
[15] This sentence proves that HIf translated from the West. version ; see my introduction, 20. [16] See *ib.* 20. 28. [17] Date and witnesses are wanting.

EDUCATIONAL ORGANISATION OF THE MENDICANT FRIARS IN ENGLAND (DOMINICANS AND FRANCISCANS).

By A. G. LITTLE, M.A.

THE absence of authentic materials will probably make it for ever impossible to recover with any degree of accuracy or fulness the history of the Mendicant Orders in England. Save for a few stray extracts embedded in other documents, all the Acts of the provincial chapters of all the four Orders in England are lost, and have been lost for centuries. It is in those Acts that one would have hoped to find the outlines of the educational organisation of the friars. In the absence of this source of information one has to rely on a few chronicles, a few letters, the general Constitutions of the Orders, the Acts of the General Chapters, the registers of the general masters, and the Acts of the provincial chapters of other provinces.[1] But even here the *Quellen* are very incomplete: many have been lost; many exist only in manuscript or in very rare editions; while the manuscripts are generally difficult of access to an English student. In the present paper I have been compelled, owing to the want of materials, to omit all mention of Carmelites and Austin Friars, and to confine myself to Dominicans and Franciscans.

[1] The following are the chief authorities used for this paper:—

For the Dominicans: (1) *Constitutiones antiquæ Ordinis Predicatorum*, anno 1228, edited by Denifle (*Archiv für Litteratur- und Kirchengeschichte des Mittelalters*, vol. i.); (2) *Acta Selecta Capitulorum Generalium Ord. Præd.*, edited by Martène and Durand (*Thesaurus Novus*, vol. iv.); (3) extracts from the registers of the masters of the Order, in Brit. Museum, MS. Addit. 32446 (Rev. C. F. R. Palmer); (4) Douais, *Essai sur l'Organisation des Etudes dans l'Ordre des Frères Prêcheurs en Provence et Toulouse*. [I did not see the Acts of

DOMINICANS

I. *The Different Kinds of Schools and their Relation to each other.*—The Dominicans were from the first a learned Order. 'Studium,' in the words of Humbert, the fifth General Master, 'est ordinatum ad predicationem, predicatio ad animarum salutem, que est ultimus finis.'[1] The Constitutions of 1228 enact that no new convent shall be founded without a doctor.[2] In all convents there were theological lectures, which all the friars had to attend.[3] But while all friars received instruction, some only were called student friars: those who showed special aptitude for study enjoyed special facilities and privileges; and the governing authorities of the Order gave careful attention to the development of an organisation which should assist their training.

The essence of this organisation was the combination of a number of convents into groups, and the establishment of common schools for special studies in one or more convents of each group.

The General Chapter held at London in 1335 decreed that provincial priors and chapters in their respective provinces should provide 'de studiis theologie, philosophie, naturalium et artium.'[4]

The Acts of the General Chapter at Genoa show that the system was already developed in 1305.[5] From the history of the provinces of Toulouse and Spain it is clear that these

the Provincial Chapters of Provence and Toulouse, edited by Douais 1894, in time to use them in the preparation of this paper.]

For the Franciscans: (1) *General Constitutions and Acts of the General Chapters to the Year* 1313, edited by Ehrle (*Archiv f. L. u. K.G.* vi. fasc. i.); (2) *Constitutions of Benedict*, xii. 1337 (MS. Bodl. Canonic. Misc. 75); (3) *Analecta Franciscana*, ii. (Quaracchi); (4) *Monumenta Franciscana*, i.

[1] *Archiv*, i. 190; cf. *ibid.* 194, Constitutions of 1228.

[2] *Archiv*, i. 221. Cf. decree of General Chapter at London, 1314, in Douais, p. 98.

[3] Cf. Douais, pp. 12, 27, 68.

[4] Douais, p. 53. Philosophy is generally equivalent to arts, and is sometimes applied to natural philosophy, so one may take 'naturalium et artium' as interpretative of 'philosophie.'

[5] Martène, iv. 1899–1900.

enactments of the General Chapters confirmed and extended the system which had gradually grown up in those and probably in other provinces.[1] Though there is no direct proof, the system was probably established in England long before 1335.

Before coming to the three kinds of *studia* mentioned in this decree a brief reference may be made to the preliminary instruction given in the grammar schools. The Dominican statutes of the thirteenth and fourteenth centuries assume that the novices have at least this elementary knowledge; novices before admission were examined 'in moribus et scientia,' and rejected if deficient in either.[2] Two instances of a much later date in the English province bear on this point. In 1481 Sister Johanna Fitzhonor, of the monastery of Dartford, 'nobilis et generosa,' was allowed a preceptor 'in grammatica et lingua Latina,' who might come into the common parlour.[3] In 1520 'Friar Clement Guadel, of the convent of Yarum (Yorks),[4] is assigned to the aforesaid convent of Yarum, and the prior is ordered not to occupy him in any conventual office, but to allow him, when divine service is over, to go to the grammar schools.' The first case is obviously exceptional, nor is it clear from the second that grammar was generally taught in the houses of the Black Friars. The instruction given by the master of the novices was chiefly moral:[5] so far as it was intellectual it was concerned with the aims of education and the relations of the various branches of learning to each other.[6]

We turn, then, to the last of the three kinds of *studia* (which we shall find to be grades of schools)—namely, the *studium artium*. The Constitutions of 1228 discouraged the

[1] See Douais, pp. 58–61, 69; Denifle, *Universitäten*, i. 719–720.

[2] *Archiv*, i. 202 (1228). A statute of the General Chapter of 1268 seems to point to the teaching of boys by the friars: 'Item, scolares apti ad ordinem propter defectum vestium nullatenus dimittantur' (Martène, iv. 1750).

[3] Brit. Museum Add. MS. 32446, fol. 11 b.

[4] 'Conventus Jerm.' (*ibid.* fol. 15).

[5] *Archiv*, i. 201.

[6] See Douais's summary of the *Libellus de instructione noviciorum*, approved by the General Chapter 1283 (Douais, p. 15 seq.)

study of arts. 'Students shall not study in the books of the Gentiles and philosophers, though they may look into them occasionally (*etsi ad horam inspiciant*). They shall not learn secular sciences, nor the so-called liberal arts,' without special dispensation from the master of the Order or the General Chapter.[1] And a certain jealousy of these studies long remained; in 1306 it was decreed that students of arts and natural philosophy should also attend the theological schools.[2] In some provinces, however, a different policy was soon pursued,[3] and the statutes of the General Chapter of 1259[4] and 1261 show a change of front in the Order. 'Quod fratres juniores et docibiles in logicalibus instruantur.'[5] Special arrangements were to be made for the instruction of the younger and capable friars. In Provence, *e.g.*, in 1262 three *studia artium* were established for the twenty-seven convents.[6] There are traces of a similar system of grouping in England, though it is impossible to say in what convents the *studium* flourished or whether the school was held in each convent by rotation. In 1476 Thomas Roberti, of Chester, was appointed to teach the liberal arts in the convent of Glasgow.[7] At Oxford there was a *studium artium* of this kind; in 1505 'frater Sebastianus de Vigtore [?] assignatur studens artium in conventu Oxoniensi.'[8] In the fourteenth and fifteenth centuries friars from all four visitations before going to Oxford went through their preliminary training at Langley Regis, where probably there was a school both of logic and natural philosophy.[9]

[1] *Archiv*, 222; cf. Acta Capituli Generalis, A.D. 1243, § 6, 1246 § 23.

[2] Martène, iv. 1903. [3] Douais, 59; Denifle, *Universitäten*, i. 719, 720.

[4] Martène, iv. 1726, § 25: 'Item quod ordinetur in provinciis, quæ indiguerint, aliquod studium artium, vel aliqua ubi juniores instruantur.'

[5] Douais, 3; Martène, iv. 1730; but only after they had received instruction in divine office, religion, and *in observantiis regularibus* (Acta Cap. Gen. 1283, § 2, Martène, 1810). This decree, however, seems to have applied only to certain specified provinces, of which England was not one.

[6] Douais, 59, 177; cf. Martène, iv. 1957; Acta Cap. Gen. 1315: 'studentes artium et philosophiæ . . . non ad conventus remotos sed proximos transmittantur.'

[7] Addit. MS. 32446, f. 10.

[8] *Ibid.* f. 14 b.

[9] *Reliquary*, xix., article by Rev. C. F. R. Palmer.

No friar was to be sent to a *studium artium* until he had been two years in the Order.[1]

To a Dominican of course the study of arts was only a step to higher things; and the 'frater docibilis' who had got a good report from his master in the arts school might be sent by the provincial chapter after two or three years to one of the *studia naturalium*.[2] Of these there seem to be few traces left in the records relating to England. At Lynn there was a *studium philosophiæ* in 1397, as may be gathered from the following entry in the register of the master of the Order: 'Gerardus Koke fuit assignatus auditor philosophie per duos annos in conventu Lenniæ.'[3] It is not clear whether this was a school of arts or natural philosophy. The statements of the friars in asking for graces for the University, that they have studied logic, philosophy, and theology for so many years *in universitate et extra*, may, however, be taken to imply the existence of *studia naturalium*. We may probably assume that the *studia naturalium* were less numerous than the *studia artium*, but that a similar system of combinations of convents existed in both cases.[4] The period of study in the *studia naturalium* was two years.[5]

The third grade was the *studium theologiæ*. The General Chapter at Genoa in 1305 decreed that no one should be sent to hear—*i.e.* attend lectures on—the 'Sentences' unless he had heard natural philosophy for two years at least.[6] The General Chapter of Toulouse in 1328 ordained that no one should be promoted to the study of logic unless he had been suitably instructed in grammar, nor to the study of natural science unless he had been instructed in logic—'ad studium

[1] Acta Cap. Gen. 1297, § 9; Martène, iv. 1867, 1900.

[2] General Chapter at Genoa, 1305 (3 years); Martène, 1900. General Chapter at Venice, 1325, and at Toulouse, 1328; Douais, 58, 70–1. The study of alchemy was frequently forbidden by the General Chapters: *e.g.* Martène, iv. 1831, § 10; 1943, § 10.

[3] Addit. MS. 32446, f. 8.

[4] In Provence in 1271 there were three *studia naturalium*, one for every ten convents; each *studium* was to have six students and one lector (Douais, 69).

[5] Douais, p. 58; decree of the General Chapter at Venice, 1325.

[6] Martène, iv. 1900.

theologie nullus mittatur nisi predicta diligenter audierit et sufficienter profecerit in eisdem.'[1] The period of study was limited to three years, and was generally two.[2] We have here to do clearly not with those schools of theology which existed in all the convents—the theology of the popular preacher—but with advanced schools of theology, which existed only in some convents, and in which the students were trained to be teachers—the normal schools of theology. These schools are called *studia solemnia*, and were either particular or general[3]—particular if their students were drawn from a circle of convents in one province, general if their students were drawn from the whole Order. At what convents in England was there a *studium solemne*? Such answer as we can give is matter of inference from very insufficient data. The mere mention of a lector of theology in a convent is of course no evidence at all, as theology of a kind was taught in all convents. The mention of a *lector principalis* probably implies an advanced school of theology;[4] the mention of a *magister studentium* and of theological students also implies a special *studium theologiæ*. We find mention of a *lector principalis* at Thetford in 1395; of a *lector theologie* and *magister studentium* at Lincoln in 1390; of theological students at Norwich in 1398, at Ipswich in 1397, at Newcastle-on-Tyne in 1397, at Guildford in 1397, at London in 1475; and no doubt others could be found.[5] The method of the combination of convents—the question which convents sent students to which *studium particulare*—is even more obscure. Probably the system of grouping had some reference to the division of the province

[1] Douais, 70–1. Contrast Acta Capituli Generalis apud Mediolanum, 1278, § 5, 'Non propter studium artium fratres a studio theologiæ retrahantur;' and Roger Bacon, *Op. Ined.* 327, 426.

[2] Douais, 128; cf. Acta Cap. Gen. 1288: 'Postquam autem in aliquo studio per tres annos ad plus fuerint commorati, ipso facto sint ab illo studio absoluti, nisi,' &c. (Martène, iv. 1824). Addit. MS. 32446, ff. 2, 8, 8 b, 16.

[3] Martène, iv. 1947–8; Denifle, *Universitäten*, i. 24.

[4] The term *lector principalis* does not necessarily mean that there was another lector in the same convent; cf. Martène, iv. 1900, § 16.

[5] MS. Addit. 32446; cf. grant of ten oaks for schools and six oaks for *studia* at Northampton in Close Roll, 42 Henry III. m. 6, 2.

into visitations. Each visitation certainly formed a unit for some educational purposes.[1] Each of the four visitations (or nations, as they were sometimes called) sent a friar to each of the two convents at Oxford and Cambridge to study for the *magisterium theologiæ*;[2] and later on, in 1525, instructions as to the sending of friars to the two Universities were addressed by the general master to the priors of chief convents in the five visitations of Oxford, Cambridge, London, York, and Salisbury.[3]

At the head of the educational system of the province stood the convents of Oxford and Cambridge.[4] Symmetry would demand that only those who had been through the three grades of schools should be sent to study theology at the Universities. And this was the rule. 'No one shall be sent to a *studium generale* (to quote the statute of 1305), either in his province or out of it, unless in the order above mentioned he has made sufficient progress in logic and natural philosophy, and has attended lectures on the 'Sentences' for two years in some *studium particulare*, and unless the testimony of the lector, cursor, and master of the students gives good hope that he will be fit for the office of lector.'[5] Often the friars sent to study for the B.D. and D.D. degrees had lectured in other convents,[6] and the office of lector was as a rule conferred on men who had studied at some *studium solemne*.[7] The regulation of 1525 that two students from each convent should be sent to each of the Universities—half to Oxford, half to Cambridge[8]—is not necessarily inconsistent

[1] Cf. Martène, 1741, § 14 (1265).

[2] MS. Addit. 32446, ff. 2 b, 4 b, 6.

[3] *Ibid.* fol. 15 b.

[4] The General Chapters of 1308, 1309, 1311, 1312 decreed that in every province there must be two *studia biblie*, in which 'sola biblia legatur biblice;' no friar was to be sent to a general *studium* until he had attended lectures on the Bible in one of these convents for a year. I find nothing about them in England. Probably the two *studia biblie* were fixed at Oxford and Cambridge.

[5] Martène, iv. 1900; cf. *ibid.* 1954, § 10, 1956, § 18.

[6] Oxf. Hist. Soc. *Collectanea*, ii. 226, 238; MS. Addit. 32446, f. 1 b, 'quod possit stare lector in conventu Gulfordie, quousque possit prosequi Oxoniense cursorium sibi datum per acta' (A.D. 1391).

[7] Douais, 76, 128; cf. Martène, 1900, § 13.

[8] MS. Addit. 32446, f. 15 b.

with this rule; the students sent may indeed have gone direct from each convent, or they may have studied in intermediate schools. If, as is probable, the first interpretation is correct, it implies the decay of the intermediate schools of theology, and is, perhaps, one sign of the general decline of the Order. Certainly many of the friars mentioned in the Oxford University registers spent all their student years at Oxford; but Oxford was not only a *studium generale*, it was also a *studium provinciale* of theology, a *studium artium*, and no doubt a *studium naturalium*. A Dominican might go through the whole curriculum of arts, natural philosophy, and theology without leaving the Oxford convent.

Oxford is the only *studium generale*[1] in England recognised in the Acts of the General Chapters in the thirteenth and early fourteenth centuries. Each province had the right of sending one or two students to Oxford.[2]

II. *Appointment and Qualifications of Students and Lecturers.*—The selection of students and lectors was, with some exceptions, in the hands of the provincial prior and the provincial chapter.[3] The visitors were bound to make diligent enquiry every year in each convent to find out promising friars, and to report to the provincial chapter.[4] The students for the higher *studia* were selected from those who had shown aptitude in the lower.[5] The master of the Order seems to have had the right to interfere arbitrarily, or at any rate to provide for exceptional cases.[6] Some convents also appear to have chosen their own lecturers and students. In 1397 'the

[1] Acta Cap. Gen. 1261, § 21 (Martène, iv. 1730–1). There was a good deal of opposition to the reception of foreign students.

[2] Acta Cap. Gen. 1246, § 3, Martène, iv. 1690, 1289, § 3; Martène, iv. 1830; *ibid.* 1870. From 1315 two students might be sent (Martène, iv. 1961, § 3). On these *studentes extranei* cf. Martène, iv. 1806, § 8; 1850, § 2; 1887, § 3; MS. Addit. 32446, ff. 4, 4 b, 7 b; Pat. Roll, 44 Edw. III., p. 1, m. 14 d; Close Rolls, 47 Edw. III. m. 10; 48 Edw. III. m. 13.

[3] Martène, iv. 1681, 1692, 1956, § 19, &c.

[4] *Ibid.* 1773, §§ 12, 13 (A.D. 1274); cf. p. 1733, § 13.

[5] Cf. *ibid.* 1956, § 19.

[6] *Ibid.* 1736, § 3, 1896; MS. Addit. 32446, *passim*; cf. complaints about the action of the General Minister of the Franciscans, in 1304; *Archiv*, vi. 67.

master of the Order ratified the election to a studentship of Friars William de Snayth and John de Ridisdall, which had been made by the sub-prior and the rest of the friars of Newcastle-on-Tyne.[1] A few days later, however, the master 'declared that the students who had been elected in the convent of Newcastle-on-Tyne against the statutes of that convent and the ordinances of the provincial chapters were not students.'[2]

In the appointment of lecturers also the visitors took an important part. The visitors were bound every year after consulting with the lectors and masters of the students to present a report to the provincial prior and chapter on students who were fit to lecture on logic, natural philosophy, and the 'Sentences:' the provincial prior and chapter, with whom the appointments ultimately rested, were to be guided by this report.[3] A friar in order to become qualified for a logic lectureship must have studied logic for two years, and natural philosophy for two years; in order to become qualified for a lectureship in natural philosophy he must further have studied or lectured on the 'Sentences' for two years: in both cases the recommendation of his teachers was necessary.[4] In the theological schools an 'ordinary' lector—*i.e.* one who gave 'ordinary' as opposed to extraordinary and cursory lectures —must have studied two years in a *studium particulare*, and two years at least in a *studium generale*.[5] No one could become a *lector principalis* in a theological school until he had returned from Paris or had lectured laudably on the 'Sentences' 'in his province.'[6] The last phrase probably implies at the *studium generale* in his province; and if that is correct the meaning would be that a *lector principalis* must be a B.D. of

[1] MS. Addit. 32446, fol. 6. [2] *Ibid.*

[3] Martène, iv. 1773, § 24; 1900, § 16; 1931, § 9.

[4] General Chapter of 1305; Martène, iv. 1899.

[5] Compare with this the complaint of the friars at Oxford in 1312: 'unde licet frequenter legerit extra universitatem sententias et bibliam, tamen in universitate Oxonie non admittitur ad legendum bibliam nisi fuerit bachellarius ut predicitur in statuto' (Oxf. Hist. Soc. *Collectanea*, ii. 226).

[6] Martène, *ibid.*

Oxford or Cambridge. For instance, in 1394 Friar John Cawd or Cawod was assigned by the master of the Order 'ad legendum sententias in conventu Oxoniensi . . . pro natione et loco visitationis Eboracensis.'[1] In 1397 he was appointed lector in the convent of Newcastle-on-Tyne, which we have noticed as one of the *studia particularia* of theology in England.[2]

The arrangement for appointing lectors in general *studia* varied from time to time. In 1311 the whole matter was entrusted to the provincial priors and chapters.[3] Generally the master of the Order, sometimes the General Chapter, appointed;[4] but in 1320 the master committed the appointment of lecturers on the 'Sentences' in the convents of Paris, Oxford, and Cambridge to the masters and bachelors of those *studia*.[5] In the sixteenth century the provincial prior selected qualified students to be promoted to the degrees of B.D. and D.D. at Oxford and Cambridge, and had to obtain the consent of the master of the Order to their promotion—'præmisso prius examine rigoroso per viros doctos, et de assensu provinciæ.'[6]

The lecturers were nominated for one, two, or three years.[7] The appointment could be renewed at the end of the term, or cancelled during the term. In 1280 it was ordered by the General Chapter that the friars should every year in the absence of the lector vote 'super retentione vel mutatione lectoris,'[8] and that the result of the voting should be notified to the provincial chapter. The custom caused 'turbationes,' and was forbidden in 1309 and 1310.[9] But the central authorities were kept well informed about the proceedings of the lectors. Before 1280 it was the duty of the visitors to

[1] MS. Addit. 32446, f. 2 b.

[2] *Ibid.* f. 8. He was clearly to be chief lecturer: 'et absolutus quilibet alius ibidem lector.'

[3] Martène, 1933–4, § 28.

[4] *Ibid.* 1741, § 22; 1746, § 6, &c.; MS. Addit. 32446, *passim.*

[5] Denifle, *Universitäten*, i. 373.

[6] MS. Addit. 32446, fol. 15 (A.D. 1512), fol. 15 b (1525), f. 16 (1527).

[7] *Ibid.* 32446, ff. 1, 2, 3 b, &c.; Martène, iv. 1889–90, 1894.

[8] Martène, 1800, § 8. [9] *Ibid.* 1917, § 4; 1926, § 14.

report on the lectors to the provincial chapter, and punish any neglect of duty.[1] From 1314 onwards this duty devolved on the master of the students. 'The master of the students shall report to the master of the Order in the case of *studia generalia*, to the provincial prior and chapter in the case of other *studia*, what the lecturers lecture on, how much and in what manner they lecture, and how often in the year they hold disputations.'[2]

The master of the students may be called a tutor. He watched over the morals and intellectual progress of the students and punished delinquents.[3] He examined the students every day or every week on the work done in the day or the week, and reported unsatisfactory students to the chapter.[4] He was the guardian of the privileges of the students, and was bound to notify to the provincial or general chapter any infringement of those privileges on the part of the prior of the convent or others.[5] In dignity he ranked in *studia theologiæ* between the *Cursor Sententiarum* and the full lector, and enjoyed the privileges of the former.[6] The *Cursor Sententiarum*, after duly reading through the 'Sentences' in one year, might the next year become master of the students in the same convent; during this year he would lecture on moral philosophy or some work of Thomas Aquinas to all the students; and the third year he might hope to be promoted 'ad lectionem idoneam et solemnem.'[7]

III. *Privileges and Maintenance of Students and Lectors.*—With the Dominicans learning was regarded as a religious occupation—a kind of divine service, which asserted its right side by side with the divine services properly so called.[8] Care was taken lest students and lectors should be distracted from their special occupations by the numerous services which formed so marked a feature of all monastic life. 'Hore omnes,'

[1] Martène, p. 1727, § 32 (A.D. 1259); 1741, § 14 (A.D. 1265); 1773, § 24 (A.D. 1274).
[2] *Ibid.* p. 1947, § 9 (1314); 1955, § 15 (1315).
[3] *Archiv*, i. 220, note, 223; Martène, iv. 1941–2.
[4] Martène, iv. 1701, §§ 22–4; 1955, § 14; 1741, § 13; 1941, § 6.
[5] *Ibid.* 1955, § 16.
[6] *Ibid.* pp. 1947–8, § 9 (1314).
[7] *Ibid.*
[8] *Archiv*, i. 190–1.

according to the Constitutions of 1228, 'in ecclesia breviter et succincte taliter dicantur, ne fratres devotionem amittant et eorum studium minime impediatur.'[1] Students were bound to be present at compline every day, but even on festivals they were excused from conventual hours and Masses if they were occupied in the schools.[2] Lectors and students were prohibited from undertaking offices, such as that of prior, or engaging in any affairs of the convent which would withdraw them from their proper work.[3] Sermon-writing on the part of students was found to interfere with scholastic exercises and was checked; and copying books for money was forbidden.[4] In the winter months students were provided with candles.[5] Among miscellaneous privileges granted to individual lectors in the English province were the right to choose a confessor and a *socius*, to go 'extra conventum et extra civitatem' at pleasure and without permission; the right to visit friends, to dispose of personal property 'intra ordinem,' and even to accept ecclesiastical benefices: a student has permission to wear linen 'ad carnem' in time of sickness or on a journey.[6]

One of the most highly prized privileges of a student was the use of a cell or private study. The *studia* to make which Henry III. granted oaks to the Friars Preachers of Oxford and Northampton were, perhaps, the combined desks and bookshelves which formed the chief furniture of the cells.[7] A separate cell was assigned to each student by the prior of the convent or the master of the students; if the number of cells was insufficient students were accommodated in order of priority.[8] The master of the students at Lincoln in 1390 occupied a cell.[9] Generally the lector had a separate chamber

[1] *Archiv*, i. 197. [2] Martène, iv. 1681, § 21; 1890, § 23.
[3] *Ibid.* p. 1677 (A.D. 1239); 1726, §§ 18, 24 (A.D. 1259).
[4] *Ibid.* p. 1954, § 12 (A.D. 1315).
[5] *Ibid.* p. 1890, § 24 (A.D. 1303).
[6] These are taken from MS. Addit. 32446.
[7] Close Roll, 42 Hen. III. m. 2; 53 Hen. III. m. 6; Liberate Roll, 45 Hen. III. m. 6.
[8] Martène, iv. 1974, § 8 (A.D. 1315).
[9] MS. Addit. 32446, f. 1: 'Item concessit fratri Johanni Muren cellam quam Rodulfus de Luda construxit in conventu Lincolniensi.'

(*camera*)[1]—a sleeping apartment as well as a study—as, for instance, at Newcastle-on-Tyne in 1397.[2] This was a privilege which, according to the Acts of the General Chapters, the lector only enjoyed while 'actu legens.'[3]

The maintenance of students and lecturers at the various *studia* became a pressing problem early in the history of the Order. The Parisian convent was heavily in debt in the thirteenth century; and in 1261 the provincial chapter of England resisted the establishment of a *studium generale* at Oxford.[4] A partial explanation of both facts, may, perhaps, be found in the expenses connected with the *studentes extranei*. The question of providing for students came in some form or other before every General Chapter, and a system was gradually worked out down to the minutest details. The cost of mending the shoes of student friars fell on the convent in which they were residing; but the convent or province from which they were sent supplied them with clothes, or with two florins to buy clothes.[5]

About the books of friars sent to general *studia* the regulations of the General Chapters are very detailed. Students sent to Paris were to be provided with the needful books by their provincial prior; students sent to other *studia generalia* were to be provided with four florins by their provincial prior.[6] The money granted by provincials or by convents was to be spent on theological books, and a strict

[1] Martène, iv. 1674, § 8 (1236); 1691, § 19 (1246); 1705, § 6 (1255).

[2] MS. Addit. 32446, fol. 8. Cf. *ibid.* f. 2: 'Item eodem die [Dec. 24, 1392] concessit [Magister Ordinis] fratri Henrico de Hundoyrwindeo, quod possit intrare villam et visitare amicos cum socio grato, petita prius licentia. Item ratificavit concessionem sibi factam per conventum suum de quadam camera; et quod possit in ea comedere tempore infirmitatis; et ibidem invitare fratres hospites. Item quod possit gaudere gratiis Lectorum in Conventu suo.' Cf. also *Lanercost Chronicle*, p. 130; a curious story which shows that the *Magister Scholarum* among the Oxford Franciscans had a separate camera in the thirteenth century.

[3] Martène, iv. 1691, § 19. [4] *Ibid.* 1691, § 11; 1730, § 21; 1811, § 15.

[5] *Ibid.* 1953, § 6 (1315); 1894, § 4; 1899, § 9 (1304, 1305). The English Dominicans seem to have been provided with 20*s.* a year to buy clothes (*Reliquary*, xix).

[6] *Ibid.* 1956, § 18 (1315).

account rendered.[1] The books of deceased friars were to be assigned to other students.[2] Similar arrangements were made by the provincial chapter to supply students at *studia particularia* with books; such students were doubtless supplied by the convent or visitation which sent them to the schools. The method of obtaining the books was left to the discretion of the provincial chapter.[3] They were often derived from the charity of the friends of an individual friar; *e.g.* a volume containing classics and works on mathematics in the Cambridge University Library, Mm. II. 18 'Iste liber est Fratris Galfridi de Wyghtone, quem fecit scribi de elemosinis amicorum suorum.'

A friar, when sent to another province as lector, took with him all his annotated (*glosatos*) books, a Bible, and his note books. If he was sent to the province for good (*simpliciter*) his books on his death belonged to that province; if he was sent for a time only his books reverted to the province from which he was sent.[4] Of the extant MSS. formerly in the possession of English friars a large proportion consists of Bibles or portions of the Bible.

Not to mention the expenses of inception at the Universities, and of the 'festa singularia' on similar occasions in the Dominican *studia*,[5] the ordinary board and lodging of the students was a burden too heavy to be borne by a convent 'ubi viget studium.' As a rule students received an exhibition or 'studentia' from the province, visitation, or convent which sent them to the schools.[6] Such exhibitions were sometimes obtained from special bequests, sometimes from

[1] Martène, 1768, § 15 (1273); cf. 1715, § 19 (1256).
[2] *Ibid.* 1820, § 7 (1287).
[3] Cf. Martène, *ibid.*; Douais, 41 seq.
[4] Martène, iv. 1679.
[5] *Ibid.* iv. 1946, § 4 (A.D. 1314).
[6] As to the amount of the *studentia* in England, compare *Reliquary*, xix; at King's Langley, in Edward II.'s reign, friars were maintained by the King at the rate of five marks a year for each friar; at the end of Edward III.'s reign the rate was 100*s.* a year for each for maintenance and 20*s.* for clothing. Among the Franciscans the *studentia* seems to have been generally 5*l.* a year; see *Grey Friars in Oxford*, p. 53.

the general funds of the convent or province.[1] The arrangements for providing for students were left to the provinces.[2] In 1511 an English friar studying at Paris obtained permission from the master of the Order to come home 'ad necessaria invenienda,' and then to return to Paris.[3]

The lectors were supported by the convent in which they lectured.[4] To the lector also a *studentia* was assigned, which we may in this connection translate fellowship. Whether it differed from the student's exhibition is uncertain. At the end of the fourteenth century there were a number of *studentiæ* attached to the convent at Newcastle-on-Tyne, to which students and lecturers were elected by the friars of the convent.[5] From what source these scholarships were derived does not appear. They may have been temporary, the result of some large bequest; more probably they were derived from an annual grant made by some institution, like the annual grants made by the Crown to the Dominican and Franciscan convents at Oxford and Cambridge.[6]

FRANCISCANS

The organisation of the Franciscans in most features closely resembled that of the Dominicans, but differed from it in origin. The Franciscans, unlike the Preaching Friars, had no tradition of learning to start from: every Dominican convent was essentially a school; the early

[1] Cf. *The Grey Friars in Oxford*, p. 53; *Bullarium Romanum* (Cherubini), i. 251; Douais, p. 40; in Provence the convent had to give to each student fifty sous tournois every year for four years, and there was a general tax levied on the province to form a central fund for the support of students. Amongst the Franciscans the convent of Paris received *xii libræ Parisiensium* for every student sent there before the debasement of the coinage, and the equivalent of the undepreciated *xii libræ* after the debasement (*Archiv*, vi. 52).

[2] Martène, 1738 (1264). [3] MS. Addit. 32446, fol. 15.

[4] See Douais, p. 32, for the custom in Provence. On the custom among the Franciscans see *Mon. Franc.* i. 354–5, 357.

[5] MS. Addit. 32446, ff. 6, 8; John Cawod made lector 1397; 'et confirmata fuit studentia dicti Johannis in eodem conventu.'

[6] *Grey Friars in Oxford*, pp. 97–8; Fletcher's *Black Friars in Oxford*, p. 7; Milne, *Blackfriars of Perth*, p. xxi, note—grant from the customs of the town.

Franciscan convent was not. The Dominican educational system had merely to be organised; the basis was contemporaneous with the foundation of the Order; the Franciscan educational system had not only to be organised but to be created *ab initio*. The centres from which the learning of the Franciscans spread over the country were the two Universities of Oxford and Cambridge. The educational organisation of the Franciscans, in fact, originated as a University extension system. The honour of having initiated the movement, or at any rate of having given it a wide and permanent basis, belongs to the fourth provincial minister, Friar William of Nottingham.

'The gift of wisdom,' writes Eccleston,[1] 'so overflowed in the English province that before the deposition of Friar William of Nottingham (1251) there were thirty lecturers in England who solemnly disputed, and three or four who lectured without disputation.[2] For he had assigned in the Universities, for each convent, students who were to succeed lecturers on their death or removal.' Eccleston specifies a number of convents to which lecturers were sent—namely, London, Canterbury, Hereford, Leicester, Bristol.[3] There was a lector at Norwich about 1250,[4] and in 1258 the King gave ten oaks to the Friars Minors of Northampton to build a school.[5]

Two documents of about the year 1400 prove the continued existence of such conventual schools and illustrate the method of appointing the lecturers. The friars of Hereford desired to secure the services of Friar John David as their lecturer for the ensuing year; they therefore induced John Prophet, the Dean of Hereford, to write to the provincial chapter in support of their wishes. Two letters on this subject from the Dean are extant;[6] they relate to different

[1] *Mon. Franciscana*, i. 38.

[2] On disputations cf. Roger Bacon, *Opera Ined.* pp. 328–9; Martène, iv. 1801; Douais, pp. 77–9.

[3] *Mon. Franc.* i. 38.

[4] *Ibid.* 319.

[5] Close Roll, 42 Henry III., m. 6.

[6] Harleian MS. 431, fol. 100 b; one is printed in *The Grey Friars in Oxford*, pp. 313–4.

years, and may be taken to prove that John David was appointed by the provincial chapter,[1] that he was successful as a teacher, and that the friars of Hereford petitioned for his reappointment at the end of the year.

There is, however, nothing to prove that this school at Hereford differed from the theological schools which were found in every Dominican, and probably from the end of the thirteenth century in every Franciscan, convent. John David, it is true, afterwards became provincial minister, and is described in the catalogue of provincial ministers as a Doctor of Cambridge.[2] If he was already B.D. or D.D. when he was sent to Hereford, there would be a strong presumption that Hereford was a special place of study, a *studium particulare* or *solemne*; but there is no evidence on this point. Can we adduce any evidence of the existence among the Minorites of the various grades of schools, and of the system of grouping convents together for educational purposes, such as we have noticed among the Dominicans?

The development was, at any rate, later than among the Dominicans. There is no mention of the study of arts in the General Constitutions of the Franciscan Order in 1260. The first recognition of it occurs in the records of the General Chapter at Paris in 1292: 'Item vult generale capitulum quod ministri in suis provinciis ordinent studia pro artibus pro juvenibus provincie instruendis.'[3] Perhaps the influence of Roger Bacon may be traced in this ordinance. Roger was continually urging in no measured terms the need of a preliminary training for the student friars. 'They are ignorant,' he writes in 1271,[4] 'of all parts and sciences of mundane philosophy, when they venture on the study of theology, which demands all human wisdom.' But if Bacon's influence is here visible the decree itself was far from meeting his wishes. 'Most of all,' he wrote in the same treatise, evidently referring to the Dominicans, because they have presumed in the Orders to investigate philosophy by themselves without a teacher;

[1] Cf. *Mon. Franc.* i. 314. [2] *Mon. Franc.* i. 539. [3] *Archiv*, vi. 64.
[4] *Opera Ined.* p. 426; see the whole passage, pp. 425-32.

so that they have become masters in theology and philosophy before they were disciples: therefore infinite error reigns among them.'

On the *studia artium* and *studia naturalium*[1] among the English Franciscans I can give no details. Not to mention the numerous works by individuals of the Order which would come under these descriptions, the supplications for graces in the University of Oxford may be taken as proof that logic and philosophy had been generally studied by candidates for degrees, in accordance with the University statutes.[2] And a decree of the General Chapter in 1421 shows that the friars accepted the situation: 'Those only shall be elected to take the degree of D.D. in the Universities who have lectured on arts and philosophy for seven years, and on the four books of the "Sentences" for one year at least in the *studia generalia* of theology of some Order.'[3]

On the *studia particularia* of theology we have a little more information; and I hope to show that there was a special school of theology in each custody, to which promising students of the custody were sent to be trained as teachers. It is not improbable that the convent where the theological *studium* of the custody flourished contained also the *studium artium*.

In the fourteenth century the English province was divided into the seven custodies of London, Oxford, Bristol, Cambridge, Worcester, York, and Newcastle, each custody containing seven, eight, or nine convents.[4] According to the General Constitutions of 1260 and 1292 one convent in each custody (or more if one was not enough) was to be assigned

[1] General Constitutions of 1292: 'Jura vero et phisica in scolis theologie ab eodem lectore et eodem tempore non legantur, sed alibi et alias ubi fuerit opportunum: seculares autem ad huiusmodi lectiones nullatenus admittantur' (*Archiv*, vi. 108).

[2] See *The Grey Friars in Oxford*, chapter iii. and appendix D.

[3] *Analecta Franciscana*, ii. 276.

[4] *Provinciale Vetustissimum*, ed. Fr. C. Eubel, Quaracchi, 1892. Eccleston omits Newcastle and Bristol, and mentions a custody of Salisbury (*Mon. Franc.* i. 27–8). The convent of Salisbury was afterwards included in the custody of London.

by the provincial minister 'in which all the novices of the custody shall be collected up to the time of their profession.'[1] The system of grouping the convents of a custody for one purpose was then familiar to the Franciscans. Did it exist for educational purposes?

Education was at first of little account in the Order. In 1240 there was a proposal to abolish the office of custodian, on the ground that it was superfluous.[2] Yet the office continued to exist in England down to the Dissolution, and was clearly of considerable importance. Did the office of custodian acquire a new lease of life by becoming connected with the growing educational system?

To begin with an interesting piece of evidence, which, however, only shows some vague relation between the 'custodia' and 'studium,' the great catalogue of monastic and collegiate libraries which goes by the name of Boston of Bury was rearranged by the Franciscans so as to correspond with the division into custodies;[3] for instance, under the heading of the Custody of Oxford were placed in the list all the chief libraries situated within the limits of the custody; each of these libraries was designated by a number. In the catalogue itself the names of authors were given in alphabetical order, and after each work the numbers denoting the libraries in which it was to be found; so that a friar of the Oxford custody could at once discover in what libraries within his custody any particular work was to be found.

Evidence of a more direct kind is afforded by the letters of Adam Marsh. The Oxford friars were at one time in want of vellum for manuscripts; Cambridge was obviously the

[1] *Archiv*, vi. 89.

[2] *Mon. Franc.* i. 48.

[3] Tanner MS. 165 (xv.), Reg. W. Molessh, in the Bodleian. Cf. Brit. Mus. Royal MS. 3DI., 'Tabula septem custodiarum.' Bale (MS. Seld. *supra*, 64, f. 32 b) says, 'Doctores septem custodiarum Anglie, apud Minoritas, scripserunt Catalogum de libris et autoribus ex Minoritarum Bibliothecis,' ex Lincolniensi Collegio, Oxon:' 'Opus septem custodiarum super Biblia, ex multis doctoribus antiquis et novis; ex bibliotheca Carmelitarum Norwici.' See Gasquet's article in *Dublin Review*, Oct. 1893, p. 909.

best place to apply to. Adam Marsh wrote for a supply not to the warden of the Cambridge convent, or the master of the students, or the chief lecturer, but to the custodian of the Cambridge custody.[1] On another occasion the friars of Norwich asked that Eustace de Normanville should be assigned to them as lecturer: the correspondence on this question is directed on the one hand to the provincial minister, on the other to the custodian of Cambridge, in which custody Norwich was situated.[2]

Again, though I have found no evidence that the custodies sent friars to study or lecture at Oxford or Cambridge, like the Dominican visitations, yet, according to the General Constitutions of 1337, if a convent was too poor to support its students at *studia generalia*, the expenses had to be borne either by the community of the custody or the community of the province in which the convent was situated.[3]

The same Constitutions of 1337 contain the strongest evidence in support of the theory of grouping described above. 'No friar of the said Order shall be appointed to lecture on the "Sentences" in the aforesaid *studia* [*i.e.* to take the degree of B.D. in any University] unless he has first lectured on the four books of the "Sentences," together with the writings of the approved doctors, in other *studia* recognised as *studia generalia* in the Order, or in the following convents, viz. Rotomagensi, Remensi, Brugensi, Londoniensi, Eboracensi, Nartonicensi, Noui Castri, Stramfordensi, Couintariensi, Exoniensi, Burdegalensi, Nerbonensi,' and seven others.[4]

Of these convents the first three belong to the province of France;[5] the fourth, fifth, and tenth certainly belong to the English province; and, as the arrangement of convents seems to follow the provinces, one naturally expects that those convents between the fifth and tenth should also belong to England. Noui Castri may, then, be assumed to be Newcastle-on-

[1] *Mon. Franc.* i. 390–1. [2] *Ibid.* 319–21.
[3] MS. Bodl. Canonic. Misc. 75, fol. 80.
[4] *Ibid.* fol. 78.
[5] *Provinciale Vetust. ut supra.*

Tyne.[1] Nartonicensi can only be Norwich; Stramfordensi is probably Stamford; Couintariensi must mean Coventry. The Norwich convent was certainly a school of no small fame; many learned English friars belonged to Norwich, and one famous foreigner at least—Peter Philargus, of Candia, afterwards Pope Alexander V.—studied there before he went to Oxford.[2] Stamford in 1334—three years before these Constitutions were issued—threatened to rival or supersede Oxford as a place of study.[3] Two theological works are extant in manuscript which were written in the Franciscan house at Coventry—one by a foreign friar in 1391, now at Florence, the other by an English friar in 1403, copies of which are now in the University library at Cambridge, in Merton College, Oxford, and elsewhere.[4] We may, then, conclude that the chief places of study in the Franciscan province were London, York, Norwich, Newcastle, Stamford, Coventry, and Exeter; these seven *studia particularia* were situated respectively in the seven custodies of London, York, Cambridge, Newcastle, Oxford, Worcester, and Bristol.[5] The student friar must have resided two or three years in one of these *studia* before he was qualified to be sent by the general minister, with the counsel and consent of his provincial chapter, to Paris or any other *stuaium generale*.[6]

Note on the Subjects studied in the 'Studia Artium' and 'Naturalium.'—Logic was the main study in the Arts course. Douais refers to a MS. volume at Toulouse, belonging to the Austin Friars and containing the text books used by them. The volume contains Porphyry's 'Isagoge,' Aristotle's 'Predicamenta' (or 'Categories') and 'Peri ermenias,' the 'Liber

[1] Novum Castrum may mean also Neufchâteau, in the custody of Lorraine (province of France); Neuburg on the Rhine (province of Argentina or Strassburg); Castelnuovo (province of Sicily); Castelnuovo (in the vicaria of Bosnia).

[2] *Eulogium Historiarum*, iii. 415.

[3] Oxf. Hist. Soc. *Collectanea*, vol. i. part i.

[4] See *Catal. Cod. Latin. Bibl. Mediceæ Laurentianæ*, tom. 5; *Bibl. S. Crucis, Plut.* xxxvi. Cod. xii. p. 25; Catal. of MSS. in the Univ. Library, Cambridge, Ff. iv. 38, ff. 27–112; Merton Coll. Cod. vii.

[5] *Provinciale Vetustissimum, ut supra.*

[6] General Constitutions of 1260 and 1292, in *Archiv*, vol. i. p. 108.

Divisionum' and 'Liber Topicorum' of Boethius (these works being known as the 'Logica Vetus'); 'Libri VIII. Topicorum,' 'Liber Priorum,' and 'Liber Posteriorum Analyticorum,' and the 'Elenchi Sophistici' of Aristotle (comprising the 'Nova Logica'), with Gilbert de la Porrée's 'Liber Sex Principiorum.' A text book in very general use throughout the later Middle Ages was the 'Summulæ' of Petrus Hispanus (Pope John XXI.)—(Douais, 'Organisation,' &c., pp. 62–5; Mullinger, 'Cambridge,' vol. i.)

In 1340 the University of Oxford enacted that no one should be licensed to incept in Arts, 'nisi prius juret se legisse cursorie duos libros logicales ad minus, unum de veteri logica, et alterum de nova; vel ambos de nova, et unum de libris naturalibus, videlicet, libros quatuor *cœli et mundi*, vel tres libros *de anima*, vel quatuor libros *meteororum*, vel duos libros *de generatione et corruptione*, vel librum *de sensu et sensato*, cum libris *de memoria et reminiscentia*, et *de somno et vigilia*; vel librum *de motu animalium*, cum duobus libris *de minutis naturalibus*' ('Munimenta Academica,' 143). The Arts course at Oxford, therefore, included natural philosophy as well as logic. The course at a Dominican *studium naturalium* in Toulouse included also moral philosophy; I do not know whether this was the rule in other provinces. Douais ('Organisation,' p. 71) quotes the following decree (relating to the *studia naturalium*) of the provincial chapter held at Limoges in 1327: 'Quare moralis philosophia admodum est utilis et necessaria et divine sciencie multum acommoda et propinqua, volumus quod pro secunda lectione, anno quolibet, habeatur sub modo et forma infrascriptis, videlicet, quod primo anno legatur *liber Phisicorum* principaliter, secundario vero *liber Ethicorum* et *de Celo et mundo*; secundo vero anno, pro principali lectione, *liber Mathematice*, pro secunda *liber Ethicorum* et *Metrice*; anno tercio, liber *de Anima, de Sensu et Sensato, de Memoria et de Reminiscentia* pro principali [lectione], pro secunda *liber Ethicorum* et *de Generatione*. Et legantur omnes integraliter et perfecte.'

ANTONIO PEREZ IN EXILE[1]

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NOTHING is so attractive to the historical student as a mystery to be unravelled upon which ingenuity and research can be exercised; and hardly any unsolved historical riddle has excited more speculation and interest than has the extraordinary, and apparently inexplicable, treatment extended by Philip II. to his former prime favourite and trusted minister, Antonio Perez.

I had noticed that the various learned historians who had taken up the subject had been mainly concerned in trying to reduce to order the hopelessly tangled web of events during the fifteen years prior to the escape of Antonio Perez from Spain; and my original intention was in this paper to dwell upon his life and writings in England and France for the next eighteen years until his death, with the object of seeing whether the light which could be thrown upon his character

NOTE 1.—See unpublished secret correspondence between Perez and the King in B.M. MSS. Add. 28262; intercepted letters from Don John and Escobedo to the King in B.M. Cotton. Vesp. vii.; uncalendared MSS. Rolls House, *France*, 1592–95; Perez's *Relaciones*, Paris, 1598; Geneva, 1644, and *Cartas*, Paris, 1603; Mignet's *Antonio Perez et Philippe*, II Paris; Ochoa's *Correspondencia de Antonio Perez*, Madrid, 1851; Morel Fatio's *L'Espagne dans le xvi et xvii Siècles*, Paris; Froude's *Antonio Perez: an unsolved historical riddle*, London, 1892; Gaspar Muro's *Princesa de Eboli*, Madrid; Fernandez Duro's *Antonio Perez en Inglaterra*, Madrid, 1892; Bacon Correspondence in Birch's *Memoirs of the Reign of Queen Elizabeth*; Bermudez de Castro's *Antonio Perez*, Madrid, 1841.

and method by a careful examination of the ample material which exists would aid us in the elucidation of the extraordinary series of intrigues which brought about his fall. Like my more eminent predecessors, however, I too have been drawn into the vortex of the mystery itself, and shall have to crave your indulgence for going beyond the limit indicated by the title of my paper, and hope to be able to justify such indulgence by producing enough new evidence to convince you, at any rate, that the last word has not been said upon the subject; and that we possibly have now at hand the material, after three centuries, for laying bare the whole story.

Although I assume that very few persons will be unacquainted with the principal events which preceded the fall of Perez, it will be well to clear the ground by again relating them briefly. Antonio Perez was the legitimised natural son of Gonzalo Perez, the famous Secretary of State of Charles V, and subsequently of his son Philip II. Gonzalo Perez was an ecclesiastic of high rank, and for the sake of decorum could not bring up his son himself, but placed him, after giving him a careful education, in the household of Philip's beloved friend and favourite, Ruy Gomez de Silva, Prince of Eboli, by whom he was reared almost as his son. He was placed whilst still a mere youth in the Secretariat of the Council of State, and, partly owing to Ruy Gomez's influence and partly to his own brilliance and fascination, he rose rapidly, so that when his patron died in 1567 he was already, at the age of twenty-five, chief Secretary of the Council of State with four thousand ducats a year salary, and possessed a sinecure office in Sicily which brought him another two thousand. He was noted, even at this time, for his wit, his splendour, his dissipation, and his presumption; but he was of course a mere upstart, and, as such, recommended himself strongly to Philip II.

It had been one of the secret instructions in kingcraft left by the great Emperor to his son that he should reduce the proud Spanish nobility to impotence by giving all important state affairs at home into the hands of creatures of his own making, whom he could break at will, employing the great

nobles only in his foreign states or in court sinecures. Soon after the death of Ruy Gomez, therefore, when Perez was only twenty-six, Philip made him his principal Secretary of State, and thenceforward, for over ten years, he was all powerful next to the King. His extravagance, his splendour, and his insolence grew with his favour, but none dared to offend him, for he alone had the ear of the sovereign night and day. He treated dukes with the most offhanded haughtiness, called the Cardinal Archbishop, Grand Inquisitor and Primate of Spain, unceremoniously by his surname ; and, as will be shown directly, addressed the King himself with jocose familiarity, which is rather a shock to those who have always looked upon Philip as an unapproachable tyrant before whom all cringed. As a matter of fact he was nothing of the sort, but only a timid, narrow-minded, laborious, and painfully conscientious man.

It will be well to explain here the political position in Spain at the time. The nobility had by the methods of the far-seeing Charles V. been reduced to impotence, but for many years the court had been divided into two political parties, each of which in its turn sought to bring the King round to its methods: first the more aristocratic party, headed by the Duke of Alba, which was all for war, haughty defiance, and violent measures; the second, that of Ruy Gomez, in favour of diplomacy, chicanery, and underhand dealing with opponents. The tact, wisdom, and influence of Ruy Gomez and the personal character of the King made Philip more inclined to the latter party, although he kept the two parties in his councils in order to hear both sides and to foment that rivalry amongst his courtiers which he always considered beneficial to his own interests.

Whilst Ruy Gomez lived he saw that all the influential offices were filled with members of the party of moral suasion, and to this party, of course, Antonio Perez belonged. The King's natural brother, too, Don John of Austria, had also been brought up by the King and Ruy Gomez in the same school of statesmanship, and when the brilliant young prince

was sent to suppress the rising of Moriscos at Granada, Ruy Gomez took care that he was accompanied by an adviser belonging to the same party, Juan de Soto. When Don John had suppressed the infidel revolt he found himself a popular hero. He was out of the leading strings of the court. He was the soldier of the Cross, and high-flown dreams of glory such as those gained by his ancestors against the enemies of the faith, bred in him a contempt for a temporising policy. Vague chivalrous hopes of empires gained by his sword for himself and his faith dawned in his ambitious mind. The King's brother could, of course, do no ill; but Ruy Gomez was gravely concerned, and by his orders Juan de Soto, the Prince's secretary, was warned that such ideas must be nipped in the bud.

He was allowed, however, to accompany Don John to the Mediterranean to fight the Turk in 1571, and was with him through the glorious victories which culminated at Lepanto. Philip was sorely beset—face to face, as he well knew—with the great new force of Protestantism, which he must crush or be crushed by, and he ordered Don John to destroy the fortress of Tunis, and rest content with having crippled the power of the Turk for years to come. But Don John was in the stirrups now, and wanted to add to Philip's difficulties, of which he knew nothing, by founding a great Christian empire in Africa, of which he should be the ruler. The Pope seconded his views, and went so far as to give him a paper investment of the dominion. Don John, too, disobeyed the order to dismantle Tunis. Secretary Soto had to bear the blame of Don John's ambition, and was recalled and made accountant-general of the army, his place being filled by a man who was considered by Perez to be above all doubt.

This was Juan de Escobedo, another *protégé* educated and brought up by Ruy Gomez, a close friend of Perez, his colleague in the chief secretaryship, and a strong advocate of the moral force party. With such a man Don John could surely not go wrong. But the brave young prince was stronger than any secretary, and Escobedo was gained over

to his ambitious views more completely even than Soto had been, and was soon perfectly crazy to make Don John the champion of Catholic Christendom. As before, the Pope was eager to give his blessing to any harebrained scheme for destroying heresy or attacking infidelity; but Philip was surrounded by difficulties, of which only himself and his secretary Perez knew. His treasure had been seized by Queen Elizabeth, his commerce was swept from the sea by the Dutch, English, and Huguenot privateers; credit and money were gone, and it was absolutely necessary for him to make peace with the revolted Flemings on any terms which recognised his sovereignty and the Catholic religion in the Netherlands. His own troops there were unpaid, and a murderous, mutinous rabble. Alba's policy of blood and fire, far from crushing the Flemings, had only exasperated them and raised up friends to help them.

So Don John was sent to carry out the policy of conciliation and surrender which had been commenced by Requésens, who had died. Escobedo was warned strictly before he left Spain that there must be no nonsense. Peace *must* be made at any cost. He and Don John were full of fine projects for the subjugation of England and the establishment of Don John as king, with Mary of Scotland for his wife. He was to be a knight-errant who should release the fair princess from the ogres that held her—the Christian hero who was to restore England to the Church. The advice to do this had been forced upon Philip for years. Alba, Feria, de Quadra, de Spes, and others had begged, bullied, and implored him for the last fifteen years to capture England. The Popes had tried to force his hand more than once, but Philip knew how the rising of the Catholic lords in the north of England had fizzled out for want of support. He knew how futile had been his countenance to the Ridolfi plot, and how the head of the proudest noble in England had fallen without a protest because he dared to countenance the idea of a Spanish invasion. So he gave his usual cold, temporising answer. There would be plenty of time to talk about

England, he said, when they had pacified the Netherlands. But Perez was told to encourage Don John and his secretary Escobedo to write privately all they thought and intended to him, Perez—not for the King's ear, oh no! but only that Perez might, when opportunity occurred, slip a word into his master's ear in their favour as soon as Flanders was quiet.

And write they did, fully and freely, confiding in Perez, who carried all their letters to the King, with his own gloss upon them and his own specious answers to them. They had gone to Flanders with the undoubted intention of making a dash for England with the troops which were to leave Flanders, but Don John found he had reckoned without his host. The states of Flanders would not receive him as governor except on their own terms, and those were hard enough. The Spanish and Italian troops were not to be sent out by sea, but to march overland to Italy, which Don John well knew meant the destruction of his plan for capturing England; but he had to give way, for the King's orders were absolute. He was to make peace on any terms compatible with Philip's sovereignty, and he was obliged to do it.

Heart-broken, desperate, incoherent letters came from the Prince and Escobedo to Perez. All was lost, they said; they were like madmen and ready for any desperate course. They had no money even to pay the troops, who would not move without it, and these drunken wineskins of Flemings, even the Catholics, flouted them. Don John himself begged, supplicated, entreated, to be allowed to come home, now that the English affair was upset. He was a soldier and not fit for such work as this, he said. A woman, like Margaret of Parma, or the widowed empress, or even a child, would do far better and capture the sympathies of the Flemings, which he could not do, for he hated them as much as they distrusted him. He was told coldly that he must stay until matters were tranquil, and was to take no rash steps. So at last by Escobedo's efforts enough money and bills were raised, and the mutinous rascals of troops who had disgraced the name of soldiers marched out amidst the curses of all Flanders

and Don John entered Brussels with the frantic rejoicing of a people who had emancipated their country by their own firmness.

For a few weeks all was tranquil, and Escobedo, who had raised the money to pay the troops on his own sworn undertaking to return it, rushed over to Spain unexpected to urge the King to make due provision. He arrived late in July, and, on his letter announcing his arrival to the King, Philip scrawled in that fearful hand of his, 'We must get rid of him quickly, or he will worry us to death.' Escobedo was rough-spoken, honest, and importunate, ill pleased with the course of events, and indignant that Don John's dreams had been frustrated. Those famous intercepted letters from him and Don John to Perez and the King which are now in the Cotton MSS. fully confirm Perez's own account of the rough and peremptory way in which he wrote to the sovereign, and Perez in his 'Relaciones' also gives many specimens of this.

The King, tired of his importunity, and seeing the danger of sending such a man back to Don John in Flanders, told Perez to have him murdered. Perez tried twice unsuccessfully to poison him at his own table, but at last on the night of March 31, 1578, Escobedo was stabbed to death in the streets of Madrid by men whom Perez had brought from Aragon and paid for the purpose. Up to this time there was nothing extraordinary in the matter. The ethics of the time quite admitted the right of a sovereign to order the private execution of an obnoxious subject without judicial process, although in Spain the course was an unpopular one. Madrid, however, was then, as it is now, a great place for scandalous tittle tattle, and the morning after the murder all the gossips of 'Liars Walk' in the Calle Mayor were whispering that Escobedo had been sacrificed to the private resentment of Perez and his friend the Princess of Eboli. One word as to the lady. She was the widow of Ruy Gomez, and herself belonged to the great house of Mendoza. She was nearly forty years of age, had only one eye, and was the mother of ten children. Her pride and arrogance amounted almost to

mania, and on the death of her husband had given the King and everyone else an immense amount of trouble. The very hour Ruy Gomez died she swore she would become a nun in a convent she had founded. She was in such a hurry that she would not wait for a proper gown to be brought, but plucked off that of her Carmelite confessor, which we are told was twice too large, and not so clean as it might have been. She insisted upon going to the convent in a rough cart, and soon set the whole community by the ears. She defied regulations, snapped her fingers at authority, and stormed at superiors. She quarrelled with everyone from St. Teresa downwards, and at last had to be turned out of her own convent by the orders of the King, whom she treated as arrogantly as she did everybody else.

There was another secretary of the King named Vasquez, a shy, timid, retiring priest of obscure birth and suspected Moorish descent, part of whose duty it was to keep Philip well informed of everything that went on in Madrid. He accordingly sent to Philip at the Escorial (where he was passing Easter) an account of what the gossips were saying about Escobedo's murder, and advising that such scandalous talk should be stopped. Then Philip took a very extraordinary course which eventually led to all the trouble. It always had been part of his policy to make those who surrounded him jealous of each other, that he might learn the worst of all of them. So when Vasquez sent his report to the King saying how the people were talking about Perez and the Princess, and urging him to have a strict inquiry made, Philip at once *sent the report to Perez* to draft a reply thereto to be sent to Vasquez. Perez drafted the reply, which, after some addition by the King, was sent, to the effect that he (the King) knew how the affair had happened, and it was 'very different from the rumours current, and that the person who had done the deed had very good reason for it.' Perez says that the King was not at all sorry that suspicion should be directed away from himself; but when Escobedo's wife and children pressed through Vasquez for an inquiry he could

hardly refuse, and had to consult Perez about it, informing him that Vasquez was pressing him so hard that he knew not what to do. Perez thereupon jumped at the conclusion, perhaps correctly, that Vasquez out of jealousy was trying to ruin him. He soon made the other secretary feel his enmity, and the court was promptly divided into two parties which left the King no peace. From insults to threats was a small step, and Vasquez complained to the King, who repeated his complaint to Perez.

For the next year at least a dozen different attempts were made to bring about peace between the secretaries. Vasquez apologised, explained, and remonstrated. The great nobles and Churchmen begged Perez and the Princess to let bygones be bygones. The Princess above all was furious. The Moorish hound Vasquez had insulted her and must be punished. Perez was offered embassies and other posts. He would have nothing, he said, but revenge on Vasquez. The Escobedo family had been easily choked off by the President of the Council of Castile, by an order from the King on the recommendation of Perez; and the matter was fast becoming merely a quarrel of Perez's friends against Vasquez's friends; but at the same time the latter, evidently with the connivance of the King, was encouraging some of Escobedo's relatives not to let the murder drop quite out of sight.

Things had reached at last such a strained condition that the King sent the President of the Council to bring the Princess to reason, as it was she evidently that was making Perez obstinate. Her terms of peace were high. Perez was to be confirmed in the chief secretaryship and have another pension of three thousand ducats a year, to which she would add a like amount. Perez himself asked for nothing but to be allowed to retire from office, knowing well that Philip did not want to spare him. The King, as usual, took a long time to deliberate. The President pressed him to decide, things could not go on as they were. The heads of both parties went about armed and followed by bravos and Perez openly insulted Vasquez at every turn. He (Vasquez) com-

plained daily to the King, who told him to look after his work and not trouble his head about such things. At last, when Perez saw the King was losing patience, he promised to forget his grievance against Vasquez. Philip was delighted and made much of him, but he soon became as bitter as ever against his colleague; and one night, without warning, after Perez left the palace, both he and the Princess were arrested. The former was lodged in the house of the officer who arrested him, whilst the latter was taken to a bleak rough tower twenty miles off. She was kept there and in a similar place for a year and a half, and then imprisoned for the rest of her life in her own castle at Pastrana. Perez was treated with the greatest kindness, and was soon after allowed to remain under arrest in his own palace. The King kept sending him reassuring messages; he would, he said, always stand by him; there was nothing for him to be afraid of, and so on.

But a favourite under arrest is a very different person from a favourite free. Encouraged by Vasquez, Escobedo's family was still pressing for inquiry; and Perez found he had now but few friends. Public opinion was excited too, and judges, bishops, and the like were pressing that Philip should end the scandal either by releasing the Secretary or bringing him to trial. The Princess (Jezebel, as they called her) being out of the way, new overtures were made to Perez, and he agreed to swear on his allegiance, jointly with Vasquez, to be good friends in future. He was restored to liberty, to office, and to favour, and it looked as if the affair would at last blow over. But Perez was imprudent. He still received large presents from the Princess. He gambled, squandered, and ruffled more grandly than ever, and complaints still poured in upon the King. The Escobedos, encouraged by Vasquez, continued to importune; the great Mendozas, the Princess' kinsmen, said Perez was spending the fortune of her family, and Perez's enemies said he was living at the rate of twenty thousand ducats a year and only honestly earning six. Perez's own wife, even, begged that her husband might be

judicially cleared of all this vague accusation, to which Philip answered, '*If this were a matter which would allow of judicial process, it would have been ordered from the first hour. Tell the woman she must be quiet.*'

At last, in 1582, Philip could stand out no longer, and ordered one of his lawyers to make a private inquiry. The man's name was Rodrigo Vasquez de Arce, and he went about the work with a stealthy, quiet thoroughness which Perez attributed to personal malevolence ; but in any case it was effectual. For the next two years evidence was silently piled up. Every person almost who had come into contact with Perez and the Princess was secretly examined. It was found that most of the men who were concerned in the murder had mysteriously died of poison, and one of the survivors, the page Enriquez, took fright and made a clean breast of it. At the end of 1584, after Perez had been closely watched for a long time, he was charged with corruption and tampering with state papers. He was privately assured by the King's confessor that he would not be condemned in the value of a pair of gloves, but in January 1585 he was found guilty of corruption, and sentenced to deprivation of office for ten years, imprisonment for two, and a fine of thirty thousand ducats. His papers were all seized, except some important letters he had in hiding, his property sequestrated ; and as he saw he was to be sacrificed he escaped into a sanctuary. The sanctuary was broken into by the King's officers and the prisoner taken, to the intense indignation of the Church and the Inquisition ; but Perez remained in close confinement for nearly three years.

Rodrigo Vasquez de Arce the meanwhile was following the murder trail like a bloodhound. The surviving accomplices were kept in prison, the one confessing and the other denying the charge, and at last the accusation of murder was formulated against Perez early in 1588. His friends and even the King's confessor were indignant. How, said they, can he defend himself now, his papers seized and most of his witnesses dead? He pleaded not guilty. The Escobedo family were

'squared' and withdrew in October 1589, but yet the trial lingered on. When the judge was asked why, he said that every day fresh orders upon the subject came from the King. The Grand Inquisitor, the King's confessor, Perez's wife, all begged that the scandal might end. It was clear that Perez could not be convicted on the evidence of one accomplice, and yet no verdict of 'not guilty' was given. Then Philip took the most extraordinary step of all. By the advice of the judge he told Perez to confess and to say that the King had ordered the murder, *giving the reasons* why, and the King's confessor assured him if he did so all would be well. Perez fearing a trap refused. He was importuned and commanded over and over again, and at last put to the torture, and confessed early in 1590. The Grand Inquisitor[1] wrote to the King's confessor saying, 'Either I am mad or this affair is mad.' What does it all mean? If the King knew he gave the order to kill Escobedo, why does he command Perez to confess all? But Perez would trust Philip no longer, and by changing dresses with his heroic wife escaped to Aragon. There for the next year and a half he was the cipher around which raged a great national struggle for the maintenance of the ancient liberties of Aragon. Imprisoned and rescued time and again; tried and acquitted; prosecuted by the King and the prosecution dropped, claimed by the King, claimed by the Church, claimed by the people, he was at last rescued by a popular rising from the dungeons of the Inquisition and escaped. The Aragonese cared nothing for him personally, and were glad to be quit of him, though in his vanity he thought he was their hero. He escaped, to see Spain no more, and the liberty of Aragon was drowned in Philip's vengeance for Perez's crime, whatever that was.

So far I have merely told the story from Perez's own statement; let us now follow the 'pilgrim,' as he called himself, into exile. He escaped from Saragossa on the night of November 15, 1591, with the King's avenging army at his heels. He was a timid man, of weak frame, broken down by

[1] Cardinal Quiroga, Archbishop of Toledo, a great friend of Perez's.

indulgence and suffering, and his escape was anything but heroic. He says he wandered amongst the snowy wastes of the Pyrenees, like a beaten dog loth to leave his master's house, trembling for his life, often carried on the shoulders of his friends, grumbling at the hardships and dangers he endured, but still in his misery pluming himself with the idea that the whole world was ringing with his persecution. The world had plenty of other things to think about. France was aflame with war. The Huguenot King was grappling with the Catholic League and the King of Spain. The stubborn Dutchmen were stronger than ever against Philip; and England, panting for revenge on the Armada, was sending help and money wherever it could be used against its deadly foe. Perez's plan was to offer his services and secrets to the enemies of his sovereign, and so revenge himself. Sheltered for a time in an ancient ancestral tower of his henchman, Martin de Lanuza, on the frontier, he sent his faithful friend, Gil de Mesa, with a characteristic letter on November 18 to the Princess of Bearn, sister of Henry IV., asking for protection. Even in this first letter, in the midst of his danger and trouble, his vanity shows forth: 'As there can be no place under heaven,' he says, 'which has not resounded with my persecution and adventures, it is probable that they have reached the exalted regions where your Highness dwells.' He calls himself, as he was fond of doing for the rest of his life, 'a monster of misfortune, capable of exciting the astonishment and deserving of the sympathy of all mankind.'

The Huguenot Princess, kindly as she was politic, saw how useful such a man might be, and hastened to welcome him, and only again just in time to escape the pursuing troops: he crossed the Pyrenees on November 23, 1591. He was lodged with all honour in the castle of Pau and made much of. The man must have been extremely fascinating, for he charmed most people and made a warm friend of the Princess. Philip was furious at his escape. Perez was deep in his secrets and understood his methods and real character better than any man alive, and he knew what an instrument such a

man would be in the hands of his deadly enemies, England and the Huguenots. A price was put upon his head, and Perez himself enlarges much upon the many attempts to get him out of the way. His closest friends were, he says, bribed to persuade him to submit to the King's mercy. That failing—for Perez was too wary—he says attempts were made to murder him, and tells a wonderful story, all in superlatives, of a handsome, strapping, buxom great lady who was to lead him into a murder trap, but fell in love with him instead and saved him. All these stories, however, must be looked at askance, for the man's cue from the first was to surround himself with a romantic interest, and although he was fond of calling himself 'a bag of bones,' he was for ever airing his conquests and his gallantry. But certain it is, from a contemporary paper recently published by Señor Fernandez Duro, that offers were made in June 1592 by some persons in Navarre to capture and deliver Perez to the Spaniards as soon as the Princess left Pau. Perez knew this, and took care not to leave her side. When she went to Tours to meet her brother the King early in 1593 Perez went with her. Pau was too small for his ambition and hopes of revenge, but when he met Henry IV. (whom he charmed, as he did nearly everyone) he unfolded a plan for helping France and England to injure Spain that at once brought him the favour of the King, who gave him pecuniary aid and a position in his household.

It was of the highest importance to Henry that he and Elizabeth should act together in crushing Philip and the League; and he jumped at Perez's proposal that he should exercise his fascination on the English Queen to that end. Henry in March 1593 wrote a letter to Elizabeth (now in the Record Office) saying that one of the greatest pleasures of his journey to Tours was to have seen Perez, and 'finding him a personage worthy of the position he has occupied and undeserving of the persecution he has suffered, he had decided to avail himself of his services. Thinking that she too will be glad to see him, he has decided

to send him to London with the Vidame of Chartres ; and he implores her to welcome him, keep him safe from his enemies, and send him back to him.' Perez himself sent a fulsome letter to Elizabeth by Gil de Mesa, at the same time asking permission to come to England, but assuring her that he is the most useless and worthless person in the world, except his persecutor. To Henry IV. on his departure he wrote a characteristic letter full of his affected far-fetched quips. Besides the obedience he owes to such a master, he says, he must return as he is ordered, for he was leaving his soul behind, and without that he could not live. 'Pardon me,' he says, 'the boldness of this compliment, but the soul, Sire, has its loves and uses compliments like the body—compliments which break and pass all bounds of earthly respect. I write, too, that your Majesty may entertain yourself with the Spanish language, of which you say I am to be your master. Surely, Sire, you have chosen a pretty barbarian for a master—barbarous in idea, in word, in all things. I understand rather, Sire, that you will be my master, and from your hand this rough pebble will marvellously receive polish ; for great artificers thus show their cunning on such coarse material ; even as royal souls imitate the acts of God in repairing that which is destroyed by others who dare to show their malevolent power by usurping the functions of the Omnipotent.'

When Perez arrived in England in the autumn of 1593 he found Elizabeth very indignant at Henry IV.'s sudden return to Catholicism and his impending arrangement with the French Leaguers, which was part of Perez's plan in order that he might unite all the country against Spain, in furtherance of which plan he sought increased assistance from England. Cecil and his mistress were, on the contrary, much more inclined to withdraw what help they had given. They considered that Henry de Bourbon had betrayed them and the Protestant cause, and complained bitterly to Beauvoir de Nocle, Henry's ambassador. Hot-headed Essex was as usual panting for a fight with Spain, and scoffed at the cautious Cecil and, when he dared, at the Queen herself. From the Cecils

and their friends, therefore, Perez got but a cool reception, whilst Essex welcomed him with open arms. Elizabeth for a time refused to give audience to the 'Spanish traitor,' as she called him, and the court ladies, following her lead, openly gibed at the emaciated old beau, with his gaudy taste in dress and his affected gallantry. To Anthony Bacon, from whose letters we learn most of what we know of Perez in England, he was, of course, very welcome as a friend of Essex; but the rigid Puritan Lady Bacon, Anthony's mother, Cecil's sister-in-law, one of the most learned women of her time, did not approve of the friendship. She wrote to her great son Francis: 'I pity your brother, yet so long as he pities not himself but keepeth that bloody Perez, yea a court companion and a bed companion—a proud, profane, costly fellow, whose being about him I verily believe the Lord God doth mislike, and doth the less bless your brother in credit and health. Such wretches as he is never loved your brother but for his own credit, living upon him.'

But the love of Essex made up for all. The solid splendour in which he lived, his lavish generosity, his wit and learning, all appealed to Perez's self-indulgent nature; the parade of learned accomplishments, then fashionable at the English Court, appealed to Perez also, and he soon caught the prevailing tone. His witty stories, his apt illustrations, his curious turns of expression, and his great experience entirely captivated Essex. Perez was lodged first at Sunbury-on-Thames, then in Essex House, and subsequently in the house of the Master of St. Paul's School; but was always maintained lavishly, and with the most exquisite delicacy by Essex. By-and-by the doors of the court were opened to him, and his insinuating address and piquant stories about Philip's amours soon put him into the Queen's good graces, his reward being a pension of 130*l.* a year from her. What wonder was it that Perez was loth to go back to France, in the midst of war and poverty? To all requests from Henry that he should go back, he returns the most fulsome answers, but always finds some excuse for not doing so. One speci-

men of this will serve: 'Putting aside all other obligations, the honour you do me in desiring my presence can only be repaid by my remaining for ever your servant and captive; not in prisons or chains of iron—vile metals—but in the nobler prisons of love. As such I hold myself and as such I will obey.' He curses his ill fortune that he can do so little for the King. 'But for all the rest it has deprived me of I bless it, for it has brought me to know your Majesty, and live under your protection—a good bargain indeed.'

But he had enemies in France, particularly the chief minister Villeroy, and he begs the King to shut his ears to the malice of those who would ruin him in his favour. To the Duke de Bouillon he writes on the same day imploring his interest to the same end. He calls himself 'a mere spindle,' his person is the only wreck left, but that he offers, and if the King really wants him for any particular service, he would embark, even if he only had his cape for a ship, in the assurance that his faith and love for the King would keep him afloat.' Indeed, faith and love seem to have been his principal stock in trade, and were for ever in his mouth. During his stay in England he wrote and published his famous 'Relaciones,' and Essex, of course, paid for its publication. It had an immediate success, and was at once translated into Dutch and French. It was a clever, brilliant piece of special pleading, showing Philip in the darkest colours, and Perez as a persecuted angel; but all the Protestant world was eager to believe ill of the Spanish King, whose memory has not even yet quite lived down the execration piled upon him by his enemies. The book, with its quaint stories, catching aphorisms and wit, brought literary celebrity to the author, and to this fact we owe more than one description of him. A young man named Standen, one of Anthony Bacon's friends, who dined with Perez in February 1594, writes: 'Surely he is, as we say, an odd man, and hath his full sight everywhere.' After mentioning the high praise Perez gave to the Earl of Essex ('for which, as I hear, he hath particular occasion'), Standen says: 'But why should I write of him to you: who

know him so well, whilst I had hardly heard of him before. And yet—I know not how—I begin to admire him already.' Perhaps, however, for all his affectation Perez's character can best be gathered from his own words. He was very fond of making gifts of the then new-fashioned scented Spanish gloves, and he himself used to prepare scents, essences, cosmetics, toothpicks, and other similar things for presents to his friends. He thus sends a pair of gloves to Lady Rich, Essex's sister: 'I have been so troubled not to have the dogskin gloves your ladyship desires that, pending the time when they will arrive, I have resolved to sacrifice myself to your service, and flay a piece of my own skin from the most tender part of my body, if such an uncouth carcass as mine can have any tender skin. To this length can love and wish to serve be carried that a person should flay himself to make gloves for his lady. But in my case this is as nothing, for even the soul will skin itself for the person it loves.' He then plays a long and wearisome set of changes on dogs and skins and souls which was doubtless at the time thought witty. Indeed, he seems to have quite fallen in love with his allegory of the dog, for he repeats it *ad nauseam* in dozens of letters which I have perused.

Perez alleged in 1594 that an attempt was made in London to murder him by two Irishmen sent from Spain, although their guilt was very far from clear; and writing to Lady Rich on the subject he says: 'When Providence granted you the power to kill, prudence was also given you to use the antidote. When they try to kill me in England your ladyship comes with such a gracious letter as that now received, which is an antidote strong enough against poison, however virulent, and all human violence. If the orient has its bezoar stones, England has its ladies who are more powerful still.' But amongst all these gallantries he was for ever working with the Queen and others to inflame her against the King of Spain, and persuade her to join with Henry IV. against him. The hopes rose and fell as Essex or Cecil gained the upper hand, and it was seen at last that Perez might be more useful to Essex in France than in England. Moreover,

Henry IV. was getting impatient and suspicious at his long stay. The King professed the greatest attachment to him, and made great promises if he would come back, and Perez at last had to go; but much against his will.

His letters to Essex at this period, now in the Record Office, show clearly how he regretted leaving the ease and luxury in which he lived in London, and for which he yearned for the rest of his life. What was the good of life, he said, if he was away from the Earl? To go was death; to stay was to live. He goes so far as to call Essex his deity, as he grants him more than he asks. He only wanted a hint, indeed, to throw everything overboard and stay; but, much as Essex liked him, he wished him to carry out his plans in France. These plans were sufficiently artful and not too patriotic. Essex was determined to bring about a full French alliance to fight Spain, and Elizabeth had consented to send a special ambassador to Henry IV. to offer him small partial help on the very hard terms of the surrender to her of certain French ports as security for her expenditure. It was felt that Henry could not agree to this, and it was to be Perez's task to force the Queen's hand, to send alarmist news about Spain's intended aggression, and Henry's absolute need of coming to terms with the enemy unless large English aid were sent. If it were not, then Henry would make peace with Spain, and England would be face to face alone with her foe. Sir Henry Unton, who was to be the envoy, was let into the plot, and knew that Henry's unceremonious rejection of his offers and simulated desperation would only be feigned; whilst the regular English ambassador, Sir Thomas Edmunds, a friend of Cecil's, was of course in the dark. To Perez was left the management of the whole intrigue. He bade good-bye to Essex at Gravesend in an agony of tears, and his patron surrounded him with every consideration which care and money could obtain. A close secret correspondence was of course to be kept up in cipher, and two English gentlemen dependants of Essex, named Wiseman and Wilton, were attached to him, as

well as two English secretaries and several servants. Essex sent a letter to the Duke of Bouillon, saying that as the King had summoned Perez it concerned his honour that he should be well received. He would have been safer in England, and they must exercise exquisite care in protecting him from the wiles of his enemies, and should entertain him suitably to his quality and his merit. Essex concludes by saying that he considers the safety and honour of Perez are in his charge, and he shall watch over them wherever he is.

Henry IV. had been told that Perez had received a pension from the Queen, and had hinted as much to him; but Perez falsely wrote a solemn protestation to the King that he had not received a farthing, except his entertainment from the Earl of Essex. He gave a further proof of his unscrupulousness before he left England. As a sort of farewell to the Queen, he left her a memorial in French—and very bad French too—giving some rather banale and trite advice about statecraft, of which she knew probably far more than he did. He implores her to keep his cipher and correspondence secret for his life's sake, and amongst other things says that he hears Villeroy, the French King's minister, wishes to entertain him in his house, and 'I will try to get some profit out of this for your Majesty.' He urges her also to attack the commerce and Indies of Spain and blockade the Spanish coasts. He proposed, therefore, to act traitorously to his own country, to England in driving her into war, and to Henry IV. by betraying his secrets to England. Many people disliked and distrusted him, but none saw through him like the two Cecils, father and son, whom he hated with all his heart.

Furnished with Essex's letter to the governor, he was received at Dieppe on August 2, 1595, more like a sovereign than a subject. The King sent a large escort and one of his own gentlemen for a guard of his person, and the governor entertained him in his own house. He writes to Essex in his usual strain about it, saying, 'If ever human words were made flesh your lordship's were, for since I have been here

the governor has done nothing but feed me.' He gives an account in another letter to Essex, three weeks later, of the great honour they were still doing him—only, he says, to reconcile him for leaving England. 'But this they can never do.' He was evidently already hankering to get back again. The secretary Godfrey Allen, writing to Anthony Bacon, constantly gives full details of the extraordinary honours paid him. He was escorted into Rouen by a hundred of the King's guard, and was received by the Duke of Montpensier as an equal; and later on, in September, when he went to Paris, the Council of State was, by the King's orders, so anxious for his safety that they proposed that he should lodge in the Bastille, and in any case they provided that he should be surrounded by troops night and day. An Aragonese gentleman called Baron de Pinilla, who was rather importunate in trying to get an interview with him, was accused of a plot to murder him. Without proof of any kind he was broken on the wheel in a dreadful manner, and then with his companions executed in the Place de la Grève. Perez the while was writing to Essex and other friends magnifying the dangers he was in, but the Earl was getting impatient, and sent his friend General Sir Roger Williams with a letter upbraiding Perez for not making matters more lively for them in England. He says in effect: 'I am doing what I can to push on war in England, but you! you! what are you doing on that side?' At the same time Williams told Perez that if he were not satisfied in France he could come back to England, and Williams had been ordered to tell the King that Paris was not a safe place for Perez to live in, as there were deep plots against him. The King at the time was opposing the Spaniards and the remaining Leaguers in Picardy; thither Perez was summoned. He was low-spirited and unhappy, alarmed for his life, and wanting to get back to the luxury and comfort of Essex House. When he got to Coucy, where the King was, he grumbled at his lodging; and the provost marshal was ordered by the King to give him the best in the place. The roughness of life during a campaign did not please him,

and he was for ever plaintively hinting to Essex that he wished to come back.

But he was too useful there. Henry showed him extraordinary favour, greatly to his own minister's annoyance, and Perez at once sent in cipher secret intelligence of all he could learn of the French intentions to Elizabeth. At the same time he of course carried on his correspondence with Essex for the purpose of alarming Elizabeth into war with Spain. He was in a chronic state of fear that his secret correspondence would be discovered, and on one occasion not without reason. Godfrey Allen, who had been attached to him as secretary by Essex, played the traitor, and sent copies of some secret letters to Cecil's friends. Allen was sent off to England on a specious errand, and on his arrival was seized by Essex and shut up in Clink Prison in Southwark for many months; but the probability is that Cecil was perfectly well informed of the intrigue from the first, and that Essex and Perez combined were no match for the Cecils, father and son; for, as the results proved, Elizabeth's masterly policy of 'balance' was not materially or permanently changed by Essex's hot-headed and foolish pugnaciousness or Perez's plots.

But withal Perez was getting impatient for some personal advantage from Henry. Great promises were made. He was to have a large pension, four thousand crowns a year, the order of the Holy Ghost with a thousand crowns a year, a membership of the Council of State with eight hundred crowns a year, and the reversion of an abbey. He wrote to Essex that he wanted to refuse everything from France, and bind himself for ever to the Earl and England, but Henry IV. seems to have been as much in love with him as was Essex. He had access to the King at all times, and Villeroy of course was jealous; but Henry was always on the side of Perez, and on more than one occasion reproached the Spaniard for wanting to leave him. 'I know, Antonio,' he said, 'that you want to get back to your dear England; but you shall have all you ask for if you will stay with me.' He asked for a good deal, and asked for it pretty often. On the false news of his wife's

death he wanted a cardinal's hat and a bishopric, and his friend the Princess said she would *make* her brother get him that or anything else he wanted. He was receiving, although rather irregularly, a large pension from Henry IV., and was in complete possession of the King's confidence, but he was evidently unhappy. Essex was impatient and vexed that he could not have his way; the Catholic nobles, who were now getting about Henry IV., were constantly sowing distrust in the King's mind of the honesty of Perez. Villeroy, who was secretly in the pay of Spain, was his sworn foe; and timid Perez himself was in deadly fear, or pretended to be so, of assassination, or that his double dealing would be discovered. He was capricious, vain, and exacting, never satisfied unless he was running down the French to their faces and exalting England and Essex. As Henry IV. also saw that Cecil's counsels were still paramount, and that Elizabeth was not to be driven into war with Spain, except on her own terms, he drew closer and closer to Spain, and peace became daily more probable. Perez was afraid that Henry IV. might be persuaded to deliver him to the King of Spain at the peace, and wished more and more to come to England. He had taken offence, however, at Essex's coolness and at the contents of some intercepted Spanish letters in England not having been communicated to him.

In fact, his temper at this time seems to have been unbearable—Naunton, who was now Essex's agent in Paris, gives an amusing account of his capriciousness. One day he complained of Essex, said he was treated like a sucked orange, and that Essex had held out hopes to him that had led him to refuse the French King's bounty. He must now look out for himself, he said. Evidently England would not help him to recover his wife and family, or his estate, or indeed anything else but a crust of bread, which certain people even begrudged him. The next day, says Naunton, he would rail against the French as a malignant nation. There were difficulties about his pension. He would throw up everything—pensions, honours, and all—and go penniless,

if needs be, to his dear England and Essex again. His hopes were suddenly fulfilled. He had remained discontented, capricious, quarrelsome, and insolent, for six months attached to Henry IV.'s headquarters whilst he was besieging La Fère, when the unexpected assault and capture of Calais by the Spaniards made it necessary for England to help France in earnest. Essex was authorised to fit out his expedition to Cadiz, and Perez was sent to England with the Duke de Bouillon, in April 1596, to sign a treaty of alliance between England and France. He met Essex at Dover, and disgusted him with his reproaches and his airs and graces; but, more unfortunate still, his arrival coincided with the reception of the news in London of the complete failure of Drake's English expedition to South America, which had been undertaken on Perez's strong recommendation. The Cecils took care to cast all the blame upon him, and Elizabeth was furious. She refused to see him, and signed the treaty with the Duke de Bouillon alone over his head. Essex ran away from his importunities, and even faithful Anthony Bacon went into the country to escape him. Perez begged Naunton to take him to Cambridge, to Bath, to anywhere. Naunton protested that the honour of escorting so high a personage was too great for him.

Mortified beyond measure, he returned to France to find Henry IV. mildly sarcastic about his welcome, and Villeroy and his enemies openly jubilant at his disappointment. He got some consolation and credit from the success of Essex at Cadiz; but it was clear that unless he obtained a permanent settlement of his private affairs at once he would be sacrificed when the inevitable peace was made between France and Spain. So in December 1596 he set forth his demands in a sort of protocol addressed to Henry IV. almost as if he had been a sovereign. Indeed, not long before he seriously talked about waging war on his own account with the King of Spain for a year or two. He now demanded a fixed pension of twelve thousand crowns a year, secured on abbeys and Church revenues, a cardinal's hat for himself or his

eldest son Gonzalo; that he should at once be sworn in as a member of the Council, with a gift of two thousand crowns; that he should have a bodyguard of the Royal Swiss Guard; and that, when peace was made with Spain, one of the conditions should be restoration to him of his estates and the liberation of his wife and children, who were still kept in prison. All this was granted and solemnly signed by the King, Constable Montmorenci, Perez's great friend, being appointed to carry it out. It seems to have been fulfilled fairly well except as regards the cardinal's hat, which Henry IV. could not get, and the introduction of his name in the treaty of peace of Vervins, which Philip absolutely refused. For the next few years he was prosperous enough. No one trusted him very much, for he betrayed everyone; but he was amusing and brilliant. Henry IV. liked his witty talk and Montmorenci was his firm friend. He was a literary celebrity, too, and his letters, carefully polished up, were with affected diffidence published. His aphorisms, of which he was very proud, were characterised as golden precepts by the taste of the times. His letters even to his heroic suffering wife, in prison for his sake, are shallow and heartless, full of fine fustian sentiment, but full also of affected play upon words and long-winded stories, generally in exaltation of himself. He continues, too, to send his presents of gloves, toothpicks, scents, and '*ambergris pills*' (which were his sovereign remedy) to his friends with servile, high-faluting letters, and his correspondence with the King and Montmorenci is as nauseous in its flattery as was that with Essex.

When his enemy Philip II. died in 1598 he tried very hard to get back to Spain. It was said—and he asserts, confirmed by the King's confessor—that Philip when he died left under his pillow instructions for reparation to be done to him; but if so, the command was never obeyed, although Perez's wife and children were released. In vain he petitioned the Duke of Lerma, his former friend, the new King Philip, the Pope, the Inquisition. He had fled from the charge of heresy, and must take the consequences. It was now a question of faith,

and out of the King's hands. Old, weak, and failing though he was, the Spaniards tried, time and again, to ruin him with the French by arousing the suspicion that he was a Spanish agent, and at last they succeeded. In 1604, after Elizabeth's death, diplomatic relations were about to be resumed between England and Spain; and Perez was beguiled into the belief by Spanish agents that if he would break with the French connection, and use his influence in England in favour of Spain in the new treaty, he would be rehabilitated. He threw up all his pensions and places in France, and went over to England, thinking that he would be associated there with the Spanish envoy. He found himself deceived. James I. was furious, tore his beard, and said he would leave England himself rather than see Perez, whose presence he thought would be disagreeable to Spain. In vain did Perez write one of his servile Latin letters to James; he was hurried out of England, having got no further than Canterbury, and returned to France broken-hearted. The rest of his life he passed in sickness and poverty, almost begging his bread. He drifted from one poor lodging to another, writing heart-broken letters to former friends and compounding his cosmetics and essences. No one trusted him, and a refusal or a contemptuous dole was all he got. He tried hard in the last year of his life to get reconciled to the Inquisition, and made the most abject and servile recantations to it and to the Pope. No use. He died penniless almost at last, in 1611, professing to be a devout Catholic, and was buried in the Convent Church of the Celestines in Paris.

Now the deduction I draw from the perfectly authenticated facts of Perez's life in exile is that he was vain, unstable, false, and unscrupulous, and not a man whose allegations in his own defence can be accepted without some corroboration. And yet they were so accepted for two centuries and a half against Philip II., whose mouth was closed. Perez's 'Relaciones,' in which his version of the story is told, represented his enemy, of course, in the blackest colours. It was an extremely clever piece of special pleading, implying

far more than it said, but was accepted as gospel by generations whose one idea was that Philip II. was a bloodthirsty monster. The first person to question whether it could be taken as an impartial statement of the case was Señor Bermudez de Castro, who fifty-two years ago published several papers from Simancas and elsewhere which threw more light upon the subject. Then came Mignet's book, which made public the depositions of the witnesses, so carefully taken, over a period of two years, 1582–1584, against Perez by the judge Rodrigo Vasquez de Arce, and also a large number of letters from Perez whilst in France in the Paris Archives. Many of the very interesting letters in the Bacon Papers and Birch's Memoirs of Elizabeth, as well as one or two of those in the Record Office, were also used by Mignet. Then in 1850 a complete edition in Spanish of all Perez's then known letters was published in Madrid, and in 1878 M. Morel-Fatio published several fresh letters from Perez to Montmorenci. Mr. Froude in 1883 wrote an essay on the subject, mainly founded on the 'Relaciones,' questioning some of Perez's facts, and Señor Gaspar Muro, about the same time, produced his really valuable work on the Princess of Eboli, drawn from a minute examination of the papers of the various branches of the house of Mendoza. More recently still some interesting original documents upon the subject have been made public by Captain Fernandez Duro.

Now most of these enquirers have deplored the disappearance of the papers which Perez's wife gave up to the King's confessor whilst Perez was in prison. They were not at Simancas, nor were they amongst the archives which were taken from Simancas to Paris. It was thought that they must be burnt: 'If only they could be found we should know all about it,' said one writer after the other. Well, I should not like to be certain about it, but I strongly suspect that the papers or some of them are within two miles of where we now are—at the British Museum. Certain it is that there are hundreds of Perez's confidential letters to the King, extending over a period of many years; letters covered with Philip's own replies, in

that fearful handwriting of his ; and although I have only had time merely to glance at them, I have seen quite enough to convince me that they contain very interesting matter. Nor is this all. Perez managed to secrete a considerable number of letters which he held *in terrorem* over the King, and from which he wrote his 'Relaciones' ; and it is thought that they were destroyed by the French Government when he died. However that may be, there are a large number of letters from Escobedo to Perez, with the King's remarks upon them, in the Dutch Queen's library at the Hague which exactly correspond with Perez's citations in his book, and which are evidently either those he had or copies of them. Motley quotes some of these letters ; but as he was writing a history of the Dutch Republic, and not about Perez, their importance in this respect has been overlooked.

Let us see whether an analytical examination of Perez's statements, aided by this new material, will enable us to form a judgment. The problems are, Why was Escobedo murdered ? What had the Princess of Eboli to do with it ? And if Philip had ordered Escobedo to be killed, as he admitted that he had, why was he so implacable in his persecution of Perez years after the murder ? It seems to me that if we get an answer to the first question we shall solve the other two. First let us see what Perez himself says. Recollect he was very artful, and where he is vague he is vague for a purpose ; and he spreads the story of the provocations offered by Escobedo over a considerable period, keeping the *date* of the murder in the background. He says generally that Escobedo was encouraging Don John to undertake the English affair, and it was considered dangerous to send him back ; that his letters to the King were disrespectful ; and he gives several instances of this, quoting letters dated early in 1577 and one that especially offended Philip, even before Escobedo went to Flanders in 1576. What Perez says about this is quite true ; Escobedo was importunate and rude ; which is proved by intercepted letters dated in April 1577, in the British Museum, of which Perez knew nothing, and by the letters in the Hague ;

and lastly Perez says Escobedo and Don John had some designs against Spain itself, but only supports that by repeating something that Escobedo said before he went to Flanders about fortifying a rock outside Santander and raising Spain from there. It is true that he also mentions that Escobedo in one of his letters suggests that they should come back to Spain and 'rule the court'; but the letter in the Hague distinctly shows that it is the formation of a political party he suggests, not treason; for in it Escobedo says that the proposed combination would be the staff of the King's old age.

Escobedo and Don John were quite as eager to undertake the English affair *before* they went to the Netherlands as afterwards, and yet Escobedo was allowed to go. The letter quoted by Perez as especially irritating to Philip was written in 1576 before Escobedo left for the Netherlands; and the rest were written early in 1577, when he was much distressed at his disagreeable task of sending the Spanish troops away without money to pay them. Escobedo succeeded in getting the troops off at the end of April, and the English affair was then acknowledged by him and everyone else for the time to be impossible. Now in one of the original letters I have found in the British Museum from Perez to the King, dated June 1, 1577 (note the date), he rejoices that the Spanish troops have left Flanders, and that Don John has been well received at Brussels on May 1; and adds: 'Escobedo has done splendidly in successfully getting the troops out of the country. Your Majesty should now think about giving that pension to his son. The opportunity is a good one, and it will heal some of Escobedo's other grievances.'

In the same letter he says: 'I have been thinking that the Pope and Don John will press you to undertake the English affair, seeing so many troops and galleys together for the African Expedition, and *perhaps the opportunity may be a good one.* If Escobedo goes with the troops to Italy, as I suppose he will, he will be sure to find his way to Rome to press the matter either in person or by letter; at any rate we shall have him here in due time.' Evidently, then, in the

summer of 1577 there was no great danger apprehended from Escobedo in the English affair, and any cause of offence he may have given before was forgotten or forgiven in the successful pacification of the Netherlands.

I have found a very important letter in the British Museum which appears to be the first attempt of Perez to arouse the King's fears of Don John and Escobedo with regard to Spain itself. You will see how insidious it is without alleging any solid grounds, but only vague hints—which he knew would work on Philip's suspicious nature. It has no date, but must have been written in the early spring of 1577: 'Octavio Gonzaga and Escobedo are asking for knighthoods, and the Marquis of Los Velez told me he would speak to you about it. I told him for God's sake to take care what he was about, and feel his way first. I said "Do not let us damp our pleasures by discounting the future, but let us esteem such rewards as a prize for successfully curing the invalid." He will sound the ford, however, and if your Majesty smiles upon him you will be pestered with similar importunities every time anything fresh is accomplished. It is quite right for your Majesty to give favours, but don't teach us to ask for them on such occasions as this.' Then follows these words: 'I am now elucidating the dark expressions in Don John's letter. What he wants is to leave Flanders and come hither. This is Escobedo's doings. I will see through it all, and will send you my opinion, which may be of little weight; but my love and faith will exculpate me. No doubt they wish to come for the Spanish business and to carry out those plans of theirs. They think Flanders is too small a field for them to run very far in.'

Now Perez had been Escobedo's close friend, and I have found in the British Museum his original letter to the King recommending Escobedo in the most flattering terms for the post of Don John's secretary. He would certainly not have made such accusations, for which there seems to have been no ground, without reason. What was the reason? I believe that at first it was a political one. After the death of Ruy Gomez the party of conciliation was greatly weakened, and

the Duke of Alba's party became proportionately stronger. It is evident that Don John and Escobedo had deserted the party of peace and had drifted to the militant side of the Albas, which with their accession was rapidly becoming paramount; a process which in the end would certainly upset Perez and his party. Perez therefore wished to make the King suspicious of the war party, and in pursuance of the same policy he not only poisoned the King's mind towards his brother and Escobedo, but in the confidential memoranda I have mentioned in the British Museum there are numerous slighting and contemptuous references to Alba and 'the Toledos,' as he calls his friends. It has always appeared to enquirers that the disgrace of Alba on seemingly inadequate grounds required explanation, but we now see that Perez was constantly whispering doubts of the great soldier's loyalty and arousing Philip's suspicions of him; and the original documents to which I refer show that for years this undermining process was carried on by Perez for his own political ends. We thus see now the motive for Perez's detraction of his former friend and colleague, who had forsaken his party and had gone over to the opposition; and this gives us a key to much of the mystery that has always surrounded the matter.

Now about the murder itself. Escobedo arrived in Spain in July 1577. His importunity and roughness had been shown for at least a year before, and are given by Perez as one of the principal reasons why the King ordered his murder. But the man was not murdered until March 31, 1578, so that surely could not have been the real reason. It could not have been, as Perez says it was, because he urged the invasion of England, as he and everyone else acknowledged that that was quite impossible for the time, now that the Spanish troops had left Flanders, besides which every member of the Alba party had tried persistently for nearly twenty years to drive Philip into invading England, and none of them had been murdered for it. Philip held the pursestrings and was well able to repress impatient and warlike councillors without murdering them. Perez gives as another reason that with his warlike

ideas it would have been dangerous to send Escobedo back to Don John; and so it would have been in the autumn of 1577. But Escobedo was not murdered until March 1578, when everything had changed. Perez asserts in one of his letters, published in the Ochoa Collection, that the King gave the order for the murder when he was at the Escorial; and I have found that he was there in the autumn of 1577, but not in the winter, so that the King must have wanted him killed in the autumn.

I have another proof of this in a letter I find in the museum from Perez to the King, the only date on which is Wednesday, 6th. I have constructed an almanac of the year, and find that this must have been November 6, 1577, and it is evident that mischief was meant to Escobedo then. Perez tells the King mysteriously that he had seen 'his friend' twice and talked over 'the matter' with him; that he found the Archbishop (Quiroga) obstinate, but read him Don John's letter, which softened him. And Perez then adds: 'For God's sake, your Majesty, take care how you send my papers and other things. Let them come by a servant of Santoya's. I am afraid of the post and the curiosity of people, particularly as Verdinegro [Escobedo's nickname] has a relative there.'

Now at this time and during the autumn there was, from Philip's point of view, a good reason for getting rid of Escobedo. Philip was straining every nerve to keep the peace with the Flemings, and the success of his whole policy depended upon it; so that to send a firebrand like Escobedo to Flanders *then* would have been disastrous. But by the time the murder was committed this reason had disappeared. War was then being waged with all the strength at Philip's command. The Flemings had been beaten at the battle of Gembloux, Don John was practically superseded, and Alexander Farnese was ready at any moment to take supreme command. No harm could have been done by Escobedo's going back in the spring of 1578, for then twenty Escobedos could not have carried on the war with greater vigour than Don John and

Parma were doing. It is clear, therefore, that Philip ordered the murder in the autumn, when there was a reason for it; but when it was committed in the following spring Philip was probably as much surprised as anyone else. The man Escobedo was a nuisance, however, and, after all, it did not much matter. He probably attributed it at first to Perez's undue zeal or perhaps spite, and the less publicly said about it the better. No doubt he was maliciously satisfied that suspicion should fall upon the Princess of Eboli or upon anyone else away from himself, and was not sorry to put Perez to some trouble or perplexity by handing him Vasquez's accusatory letter, seeing that the deed had been done when the need for it was not pressing. I take it that the first mild imprisonment was forced upon Philip by the insolent obstinacy of the Princess and Perez in refusing to be friendly with Secretary Vasquez. The court was all in a turmoil with the threats and defiance of these two against Vasquez, and it is difficult to see how Philip could have avoided some such step as that which he took.

When Perez was in exile he carefully spread the idea that Philip's hatred to him arose out of jealousy of the favours he received from the Princess of Eboli. I have shown, however that the man was a vain, amorous coxcomb, whose great idea was to make himself interesting and his master odious; and Señor Muro's monograph upon the Princess has quite disposed of the fable that Philip was her lover. There is no foundation for the prevalent idea that the blackening of Escobedo's character to Philip was from the first a plot to avenge some slight upon the Princess. I have already given ample reasons for it, but in addition to this the Princess had lived in retirement at Pastrana until early in 1577, and could hardly have seen either Philip, Perez, or Escobedo for years before then. According to the depositions of her waiting-maid before the judge, Perez's amours with her only commenced shortly before Escobedo's death, and another deposition says that 'shortly before the murder' Escobedo saw something very scandalous going on between them, and he, in

his rough way, jealous of his late master's honour, said: 'I can endure this no longer. I shall tell the King.' Jezebel thereupon burst out in a fury of obscenity and rage, called Escobedo a foul-mouthed scamp, said she loved Perez better than all the world, and swore to be revenged.

I venture to think that it was not until the gradually piled-up evidence taken between 1582 and 1587 came to the King's knowledge that his eyes were fully opened to the iniquity of Perez's relations with the Princess and to the fact that the latter, shortly before the murder, had sworn to be revenged on Escobedo. This showed him that the man had really been sacrificed to the Princess' vengeance, whilst the blame in the last resource was to be thrown on to his shoulders; and it also proved that Perez must have informed the Princess that he had the King's authority for the murder. Hence the second charge against Perez—which has always been a puzzle—namely, that of divulging state secrets.

A close examination of Perez's papers and the original correspondence from Don John and Escobedo must have shown Philip, as it shows us, that Perez had no warrant for the darkest suspicions he tried to arouse. The King must have recognised then, years after the offence, that he had been tricked into believing that his brother, Escobedo, Alba, and the Toledos were traitors, in order that Perez and his party might remain paramount. Hence the charge of tampering with despatches. By the light of these facts Philip's extraordinary vacillation and apparently inexplicable behaviour all through the affair become quite clear. For the first two years and a half he doubtless treated the matter as a quarrel between his two secretaries, which caused him much annoyance and inconvenience, and which he tried by every means to heal, keeping the murder in the background; whilst he sought to perplex Perez about it sufficiently to mark his displeasure that it was committed when it was, and looked with complaisancy upon Vasquez's sly malice in keeping the sore open.

The great change came when Philip in Portugal had need

of Alba, and Perez's party was discredited. The grim old soldier was a good hater, and knew full well that disgrace and failure had been brought upon him by the scented fribble he despised. Los Velez was dead, and his place was taken by Count de Barajas, a firm friend of the Albas. The 'Toledos' were having it all their own way. The favourite secretaries now were Zayas and Idiaquez, faithful creatures of the Alba party, and Vasquez, the bitter enemy of Perez. The latter was under a cloud, far away in Madrid—'les absents ont toujours tort—and the party of Ruy Gomez had sunk never to rise again. It is not wonderful that, under such circumstances, Philip in Portugal should be persuaded to entrust to the sleuth-hound Rodrigo Vasquez de Arce, another creature of Alba's, the secret investigation ; and when the damning proofs had been laboriously piled up, and Philip saw the pitfall into which he had been led, that, late in the day as it was, he should persecute to the death the man who had betrayed his trust, and had sought to make him, the king of half the universe, the catspaw of a vile woman's vengeance and of an upstart favourite's ambition.

Now we can understand what puzzled Cardinal Quiroga so much—the reason, if Philip knew he authorised the murder, why he should insist upon wringing out of Perez on the rack the avowal of the causes which led to it. A few more days of torture like the first, and Perez would have had to confess that the order for the murder had been given six months before it was committed, and that in the meanwhile the circumstances which, from the King's point of view, rendered it desirable had disappeared. That would have been sufficient to condemn him without going into the rest of the story, as would have been necessary subsequently, before the tribunal of Aragon. When Philip withdrew from the prosecution before the Aragonese tribunal in which Perez was charged with the murder, and falsely pretending the King's authority for it, for betraying state secrets and tampering with cipher despatches, he did so in a very significant paper, the exact wording of which has never yet received the critical attention

it deserves, although, in my opinion, it contains the master-key to the heart of the mystery. It concludes as follows: 'If it were possible to reply with the same publicity as Perez has given to his defence, his guilt would be proved and he would be condemned. He so defends himself that to answer him I must publish secrets which ought not to be revealed, and which would involve persons whose reputation is of more consequence than his punishment. I declare Perez to have sinned more than ever subject sinned against his sovereign in form, time, and juncture.'

We now see it all clearly. Philip made no secret of having ordered the murder, but sought to punish Perez for the *form, time, and juncture* of its committal when he found that it really had been committed after the need for it had passed in order to please an adulterous virago, and to hold him ultimately responsible for the deed. The form and juncture of the murder also involved a gross betrayal of the state secrets of a king whose statecraft rested entirely on secrecy and caution. Philip found that for political party reasons he had been deceived into believing his brother and his greatest subject to be traitors, and yet, as he says in the document above quoted, he dared not, for very shame's sake, avow as much in public, and show his people how he had been hoodwinked like a very dolt—he the unfathomable, the prescient, and the wise. His mouth was sealed, as he hints, also by the fact that a complete statement of the case would have stirred the blood of the great Mendozas, the most powerful family in Spain—Alba partisans to a man—with the story of the degradation in public of their haughty kinswoman, the Princess. She, the greatest lady in the land after the blood royal, had become the paramour of a baseborn upstart, whom the proud Mendozas and Toledos spurned as the very mire beneath their feet. Philip dared not, therefore, tell the whole story, even for the sake of punishing his false minister.

By the light of this theory all the inconsistencies of the King's behaviour become as clear as noonday. Perez began

by seeking to discredit a political colleague who had deserted his party. The King, inflamed with this and the danger of allowing Escobedo to return to Flanders in the autumn of 1577, authorised his murder. Events marched quickly, and the need for the murder passed away before it could be committed. Early in 1578 Escobedo offended the Princess, who swore to be revenged ; and to please her Perez murdered him under shelter of the King's authority, given six months before. He sinned, as the King says, in form, time, and juncture ; he betrayed the King's secret to the Princess, as he had deceived the King himself about the loyalty of his political opponents ; and yet the King, caught for once in the tangled web of his own chicanery, found his mouth sealed for the sake of his reputation and the honour of the greatest families in Spain.

Cautious, wary, and subtle as Philip was, he had his eyes opened to the fact, years after the event, that he had been made the veriest tool and plaything in the hands of a cleverer man than himself ; and for the rest of their lives the two foes were pitted against each other with implacable rancour. Neither of them dared to tell the true story. Philip proudly said nothing, and posterity has had to judge him by his apparently inconsistent and inexplicable acts. Perez told a specious, plausible tale in which suppression of truth and suggestion of falsehood have misled succeeding generations ; but new witnesses beyond suspicion arise to tell the hidden story, and the mystery of Antonio Perez becomes a mystery no longer.

The last verdict must be that Philip, looking at the whole circumstances of the time and his own character, was more sinned against than sinning, and that Perez was one of the most diabolically false, vain, fascinating scoundrels that ever disgraced and bewitched humanity.

THE COLONIAL EMPIRE OF THE PORTUGUESE TO THE DEATH OF ALBUQUERQUE

By C. RAYMOND BEAZLEY, M.A.

THE first of modern colonial empires, the dominion of the Portuguese on the coasts and seas of Africa and India is in one sense more interesting than any of its successors. For it is, of course, essentially and peculiarly connected with the beginnings of that expansion of Europe and Christendom which, above all else, marks off the modern from the mediæval world. In other words, the growth of Portugal through discovery into a position of commercial and naval leadership is of general value to the whole of the Western world, in a way that is not shared by the similar and later growth of Spain, Holland, France or England. The development of these states belongs mainly to their own history. Immensely as they influenced one another, they none of them, to the same extent as Portugal, opened the way by which alone Europe could expand at all. None of them can rival her in the credit of breaking down the middle wall of superstitious terror which parted the unknown worlds along and beyond the ocean from the Christendom of Dante and Chaucer. None of them, in the same special originative way, can claim the glory that Camoens claims for his nation, the glory of

> Opening up those wastes of tide,
> No generation openèd before.

It was the work of Henry the Navigator, fifth son of King John I. and Philippa of Lancaster, titular King of Cyprus, and Knight of the Garter of England, to make that beginning in

ocean exploration, in Atlantic trade and in African colonisation, which essentially preceded and prepared for those discoveries—of Columbus, of Da Gama, of Magellan—that have so utterly eclipsed his own. It was his work, between 1412 and 1460, which laid the foundation of the earliest of our modern Eastern empires and suggested, though more indirectly, the finding and settlement of America.

In the state of knowledge of society at the time, the start in such a movement was the great difficulty: looking at the width and grandeur of Henry's aims and the comparative slowness and imperfection of their realisation, one might think this to be one of those cases where

> the half is really better than the whole.

Those aims were three: Scientific discovery, in the first place, as such and for its own sake, followed by two results, which any patriot and any Christian of that time would long for—the commercial monopoly of the Indies and the conversion of the heathen. But we cannot here enter into any discussion of Henry's motives and character and life, of his measure of success in the reaching of his central purpose, or of what accompanied that purpose—except in so far as the colonial empire of his countrymen was really founded upon the second of the great ambitions we have noticed as his. These ambitions, and especially this material one, of trade dominion, were his legacy to his people, and Portugal exhausted itself in efforts to win even a part of the prize that he, the true national hero, set before it.

So, leaving on one side the work of the Prince as the founder of modern geographical advance in the sense of a conscious organised movement, we must confine ourselves to a brief notice of that work on another and less interesting side, and to the way in which his commencement was carried out, down to the time when the national extension had reached its furthest point. That national extension, however, though primarily of local significance to most people at the

present day, was really in the fifteenth and sixteenth centuries, as we have said, a thing of European interest and value, and every subsequent advance of Christian nations in South and East was based upon it.

The aims of a great leader may have sunk more and more into those of a selfish nation; but, even on that narrowest or most selfish side, his inspiration reached far beyond his nation, and thus had permanent results—as permanent at least as our Indian empire to-day.

That is to say, while Henry lived, discovery was the chief thing; conversion, colonisation, and trade were secondary to it, though inseparable from it. After his death, in 1460, exploration became more and more the means to wealth and power, more and more a means subordinated to those ends in the minds of the very men he had trained.

But if, as we are often told, the 'industrial element rules modern development,' if the 'philosophy of utility,' as expressing that element, is now our 'guide in war and peace,' and if the 'substitution of this for the military spirit is to be dated' from the Portuguese dominion in the Indian seas, then even the narrower ambitions of Prince Henry reach far beyond the limits of his kingdom and his race. But we must now attend to the successive stages in the development of a Portuguese empire out of the little European kingdom of John I.

From its formation as a county in 1095, under the free-lance, Henry of Burgundy, down to its final victory against the overshadowing power of Castille in 1383, commemorated by the national Battle Abbey (Batalha) near the field of Aljubarrota, where Henry lies himself with all his house, the special interest of this westernmost of Spanish States seems to be in the stubborn restless independence of its people and in a certain half-latent instinct of seamanship, which had been roused to fresh life under King Diniz in the early years of the fourteenth century. Portugal, the 'port of Gallicia,' had first centred round Oporto on the Douro, the harbour town which seems to have given the county its name in 1095; but the beginnings

of any considerable navy, commerce, or maritime interest can hardly be traced back before the appointment of the first high admiral, a Genoese named Emanuel Pessanha, in 1317, and the voyage of Portuguese ships under Italian captains to the Canaries in 1341.

Prince Henry, who changed spasmodic into systematic exploration, made his first venture in 1410 or 1412; something of settlement inevitably followed his discoveries, as in 1424 among the Canaries, in 1427 and later among the Azores or Western Islands (two-fifths of the way to America), in 1421 in Madeira, and in 1448 in the Bay of Arguin, where a fort was built to protect the new commerce with Guinea. The rights of the new settlers were carefully guarded by charters, such as that which gives the famous list of the first colonists of Madeira (1430); their number was, from time to time, regularly taken by a census; their family registers were kept, and from these we see something of the wonder of men who were beginning life afresh, as it were, in a world beyond the sea. The first children born in Madeira, a son and daughter of one Aires Ferreira, were christened Adam and Eve.

The last colony planted by the Portuguese before the Prince's death was in the C. Verde Islands, but these settlements were altogether on a very slender scale, and it is only from their position as the earliest of such ventures (in the new time of transition) that they call for any notice at all. The Infant was only concerned with this side of his work in a secondary sense.

It was not till the reign of John II.—John the Perfect (1481–95)—that any further progress is made towards an empire of colonies and factories controlling a large maritime commerce, which under Albuquerque took shape as a land empire starting from centres on the coast.

In this reign one great result of the African discoveries was attained in the rounding of the Cape of Good Hope by Bartholomew Diaz in 1486; and this, with the journeys of other explorers across the Soudan to Abyssinia and Malabar,

to the sources of the Senegal, and even to Nova Zembla, prepared the way for the first voyage direct from Lisbon to Malabar under Da Gama (1497–99), when Portugal began the experiment of her empire on the other side of Africa and in the further east.

King John, who spent the last years of his life in fitting out this fleet, died before it could sail; but by means of his fort at S. George la Mina (1482), by his frequent and formal taking possession' of new countries, and by the famous ornamental pillars, with which he caused such new possessions to be marked, as well as by the official protection he granted to the converted King of Congo, and by the new title of Lord of Guinea assumed in 1485, he gave abundant proof of his imperial ambition. So absorbed was he in these prospects opened by the southern and eastern route, that he rejected Columbus' offer to give him India by that of the west.

Azambuga, Diego Cam, and Bartholomew Diaz, the three chief explorers of this time, were all sent out to pursue a distinct material aim—ultimately they were to find the treasures of India, and divert the world's main lines of traffic, from Hindus, Arabs, and Venetians, on to the new ocean route; on the way to this they were to open up as much of Africa, win over as many tribes, and leave as many pioneers on shore as possible.

But the Portuguese empire as commonly understood does not really take shape, in the sense of an organised and separately governed dominion over sea, till the reign of John's successor, Manuel the Fortunate (1495).

Under this palace-king, whose good fortune it was to enter into the labours of other men, the national supremacy in the ocean seas and the eastern world grew to its height and began, though unobserved, to decline. After the death of Albuquerque the exhaustion of his people became more and more apparent every year, and, in spite of Viceroys like Nuno da Cunha and John de Castro, the hold of the Court of Lisbon upon both Africa and India grew feebler and feebler, till in 1580 all the possessions of Portugal became provinces in

the Spanish empire of Philip II. But at least for the first twenty years of Emanuel's reign (1495–1515) the progress of the nation was steadily outwards and upwards. It was the very heyday of her prosperity.

First the voyage of Da Gama (1497–99) brought Europe, Portugal, and Lisbon directly in touch with India; the first factory of the new eastern empire was set up in 1498 in Calicut. It was only a temporary and unsuccessful venture, and Da Gama was practically driven from the city; but in this, and still more in his alliance and trade with Cochin, we must recognise that the African dominion which Henry had begun, and John II. had so much extended, had now crossed the Indian Ocean, and was tentatively searching for a foothold in Malabar. It is not without reason that this event has been made by Camoens and the ordinary traditional history the subject of the national epic and the central point of the national expansion.

For it gathered up in itself the work—the painful, conscious labouring—of almost a century; it linked together two great lines of trade and maritime enterprise, on the western and eastern coasts of Africa—the one Christian, the other Moslem—the one comparatively recent, the other dating from the ninth century; it realised an ancient hope and a royal ambition; and it looked forward to, it almost involved, what did actually follow upon it, the first Indian empire of a modern Christian state.

After Da Gama's return (1499) things developed themselves quickly enough. On March 9, 1500, Cabral, 'an excellent man,' as the king said, 'but not fortunate in affairs of the sea,' sailed with a real armament, thirteen well-appointed ships and 1,200 soldiers—the practical answer of Portugal to the Egyptian and Venetian threats of war against the new ocean route. The admiral was to bring Calicut to reason, to punish the enemies of Da Gama, and to open trading factories. As yet there seems to have been some reluctance to insult such a land as India with fortresses, and no one had yet thought of a policy of regular conquest in the upland.

Cabral discovered Brazil on the way, and thus founded the second of the great Portuguese out-settlements; but this American colony, which in later days drained away most of the best blood left from the Indian wars in the home kingdom, did not come to the front till after the death of Albuquerque. In Malabar the fleet brought matters to a head with the Moplas or Moslem merchants who had so long enjoyed a practical monopoly. These 'fanatic and ferocious mongrels' sacked the European factory in Calicut and butchered its defenders: in revenge Cabral bombarded the town and, like Da Gama, allied himself with Cochin and the Christians of San Thomé. But his expedition was hardly a success: his own losses, chiefly from storms at sea, were terrible (seven out of thirteen ships), and he alarmed the Moslem interest throughout the Indies only too effectually. Arab merchants were driven by fright to think of their powerful protectors, the new champions of Islam, the Ottoman Turks of Stamboul, and the Mamelukes of Cairo.

The succeeding efforts of the Portuguese to retain and extend their new sphere of influence, before it was clearly realised that an imperial ambition must be treated in an imperial way—before, that is, King Manuel appointed his first Indian Viceroy in 1505—are only worth a passing notice. And even this chiefly because, in 1503, Albuquerque made his first voyage to Malabar, and by the fort he built at Cochin made a new start on the road which all were travelling through discovery and commerce to military dominion.

The same man, by his action at Coulam a few weeks later, gave definite form and shape to what afterwards became a fixed article of Portuguese policy in the East, the protection of Hindu against Moslem, the more or less definite alliance of the Gentoo and the European race.[1]

The other expeditions of the four years (1501–5) between Cabral's return and the sailing of the first viceroy need only be mentioned. John de Nova's voyage in 1501 with four

[1] Albuquerque also set the example of a shortened and more direct sea-route from the Mozambique Channel to Malabar.

ships, Vasco da Gama's (second) in 1502 with fifteen ships, Saldanha's in 1503, and Lopo Soarez' in 1504—all these were so much evidence of the resolution of the Court of Lisbon, but they gave no proof of enlarged ideas suited to the vastly enlarged field of operations, or to the growing hostility of a great race and a great religion. Da Gama, especially, disgraced his name and country by his brutal and aimless barbarities, neglected to cement the half-formed alliance with the Nestorian Christians of Cranganor, and left the position of the European intruders in the East weaker than he found it. Even the heroic successes[1] of Pacheco, the Hercules of Camoens' story, who had been left by Albuquerque in charge of the fort at Cochin, were only of political value as far as they showed how easily and at what enormous odds Europeans could beat down the feeble warriors of Hindustan and the Deccan.

But when, on March 25, 1505, Francis d'Almeida sailed from Lisbon as the first Viceroy in the Indian seas of that king who was now, as he boasted,[2] Lord of the Navigation and Commerce of India, Persia, Arabia, and Ethiopia, and with twenty ships and 1,500 soldiers proceeded to establish Residents, and depose native rulers in towns like Quiloa, to sack other and more obstinate cities like Mombasa, and to secure friendly ports like Coulam and Cananor by redoubts and garrisons, we are no longer left in doubt about the exact meaning and scope of the Portuguese experiment.

What is specially interesting to notice is the fact that, as the Commentaries of Albuquerque declare, this new departure was the result of the latter's bitter complaints to the king. A real statesman suggests a policy which is at least more statesmanlike than the spasmodic and reckless venturing of unconnected and unsupported armaments in the dangerous Indian seas.

'The affairs of India being in such a state that they could

[1] These successes have been considered the turning point of Portuguese fortunes in India.

[2] In a sense, perhaps, the colonial empire of Portugal begins with the assumption of this title in 1501.

not well be placed upon a firm footing nor receive any settlement, by the fleets which the king kept sending thither every year, on account of the incessant war that was made upon the Portuguese, through the bribes of the Moorish merchants who feared to lose their trade if our people were established in the land, . . and Affonso Albuquerque having informed the king that it was imperative to prevent the Moors, when our ships returned, from again becoming lords in Malabar. . . D. Manuel consulted with his council and agreed to send a governor for three years to India, with armaments adequate to the relief of our misfortunes.'

As a soldier, a courtier, and a grandee, who had learnt war under Gonsalvo da Cordova the Great Captain, and who belonged to the blood royal, Almeida took a more political view of things than the discoverers and traders who had preceded him. He began aggression at once on the coasts of Africa, and, after reaching Malabar, lost no time in giving battle to the fleet of the Moslem league, headed by the Zamorin of Calicut. Two brilliant victories followed in quick succession, and the effect of these is described by the famous traveller Varthema, who found the Moplas' markets ruined, 'so that he could not sell his goods.' Almeida proceeded to take formal possession of Ceylon (1506), and the Maldives: his son Lawrence performed prodigies of valour on the coast of Guzerat: the two together drew down upon themselves the fleet of Egyptian and Ottoman galleys which had so long been called for by the Moslem merchants of the Indian Ocean. The son threw away his life and fleet by reckless daring at Chaul: the father avenged him amply in the first great battle of Din (February 2–3, 1509), when for four and twenty hours he fought with nineteen sail against sixty-four, defended with all the clumsy stubbornness of Turkish sailors, and thus repelled the most dangerous of all rivals to European influence and progress, the hordes of Sultan Selim I., the inflexible conqueror of Syria and Egypt.

But, before this decisive action had been won, Albuquerque had already arrived at Cananor (December 1508), after a series of triumphs in Arabia, with the royal commission to

supersede the first Viceroy, and though for eleven months Almeida obstinately refused to surrender his power, and appealed to Lisbon against his successor, he was forced at length (November 19, 1509) to leave India for Portugal, only to perish at Table Bay by the 'rude fire-charred club and staff' of savage Caffirs. His policy was governed by a distrust of land empire. 'Holding the rule of the sea to be the epitome of monarchy,' he aimed at nothing more than a chain of forts and naval stations to guard his ports and factories along the coasts of Africa and Malabar.[1]

It was Albuquerque who enlarged this plan into one of greater 'content'—a dominion which started from the outposts and vantage points already secured or coveted, but which was only meant to be complete as an empire from sea to sea, with a capital and a series of garrison towns, and even a class of native society, firmly secured in the European interest, and commanding all the avenues of Eastern commerce—the trade routes of the interior as well as of the ocean.

This daring scheme, one of the most serious and intelligent attempts ever made to solve the problem of European settlement and supremacy in the Tropics, had a fair trial from the hands of its author for just six years (1509-15); after his death it only survived in fragments, half-understood; many of its most characteristic points were never revived; and as a system, under which the Portuguese overlordship was seriously pressed upon the nations as well as the traders of the East, it is bounded by the period of his government.

In military policy Albuquerque aimed at the control of the keys of the Indian Ocean and its trade. Ormuz at the mouth of the Persian Gulf, Aden or some other point at the

[1] Cf. his letter quoted in Stanley's preface to *Three Voyages of Vasco da Gama* from *Correa*, pp. lxvi. lxvii. From the *Lisbon Annals of Science and Literature* (1858). 'As to the fort in Coulam, the greater the number of fortresses you hold, the weaker will be your power: let all our forces be on the sea: if we should not be powerful there, everything will be destroyed. . . . All the rest is of little importance. As long as you may be powerful at sea, you will hold India: if you do not possess this power, little will avail you a fortress on shore. . . . Our past wars were waged with animals, but now we have wars with the Venetians and the Turks of the Sultan.'

mouth of the Red Sea, Malacca commanding the passage between the China Seas and the Bay of Bengal, Goa or some other strong point to watch the coast of Malabar—these, with the points already held [1] on the east coast of Africa, in Cambay and in Ceylon, would make the sea thus enclosed a perfect *Mare clausum*—closed against its old monopolists, the Arabs, held and guarded, for their own exclusive profit, by its new conquerors, the Portuguese.

Starting from this series of Eastern Gibraltars, the new Viceroy meant to control the interior, to bring the native states as far as possible under direct or indirect subjection, and to master the inland as well as the maritime trade routes.

With a view of maintaining a supremacy which a handful of Europeans could hardly ensure among so many millions of natives, Albuquerque first developed and amplified the policy which had been ready to hand, as it were, from the time of Da Gama's arrival in Malabar,—an alliance of the new Christian power with the oldest inhabitants, the Hindus, against the Moslem interlopers of the mediæval time.

Next, he went on to suggest and to carry out, as far as he could in so short a time, a plan of government through a half-caste population, directed and patronised by a European aristocracy. The Eurasian class, which he meant to rear and to raise to power, would be the trusted democracy of India, and the Portuguese would only have to supply a few garrisons for the most important places, a few ships to control the sea, and a bureaucracy to manage each of the departments of government.

But the Governor's ambition reached beyond India proper, as was natural. For to secure his hold upon the Southern Ocean, he must find some way of dealing with China on one side, with Persia on another, and above all with the outraged merchants of Egypt and Arabia and their more formidable patrons, the Ottoman Turks.

He did not rest content with a policy of closing the out-

[1] Quite twenty stations in all, from the Cape to Arabia; on the Arabian coast some fourteen more; in W. India more than both these groups together.

lets of the Persian Gulf, the Red Sea, and the China Seas: he aimed at making his power more secure by preventing any serious attack from outside upon the barriers that he set up. Through friendship with the Celestials, with the Shiah Moslems of Persia, and with the Abyssinian Christians on the Upper Nile he hoped to get the required security, to isolate and decisively repulse the Turkish power, if possible to destroy it by combined attack.

The chief events of the nine years (1506–15) between Albuquerque's final departure for India and his death supply examples in plenty of all the characteristics of his truly imperial policy and government.

When he left Lisbon in 1506 in the company of Tristan da Cunha[1] with sealed instructions to supersede Almeida in 1508, after the first governor had fulfilled his three years of office, his primary object was to secure Socotra, as a point that would give him a partial control at least over the mouth of the Red Sea. After storming and sacking the two hostile cities of Augoja and Braboa, on the African coast, which endangered the Portuguese protectorate between C. Guardafui and C. Corrientes, the two captains with their squadron of twenty ships, anchoring off the Moorish fort at Soco, captured the point they had been sent out to seize, and then separated (August 1, 1507), Tristan going straight on to India, and his colleague hanging off the S. coast of Arabia till his own year (1508) should come. Socotra once taken and garrisoned, D. Manuel's instructions had been performed; but this was not enough. Ormuz, the key of the Persian Gulf, might be won, thought Albuquerque, even with six ships, if the natives were terrorised sufficiently. He was not far wrong. On October 24, 1507, barely a fortnight after his arrival before the great Persian

[1] Albuquerque's imperious temper seems to have involved him in difficulties with his colleague, as with his subordinate captains. Da Cunha, also, was before all things an explorer (though selected by D. Manuel as his first Governor-general, a post which his blindness prevented his accepting), while Albuquerque was a political leader and conqueror. Thus Tristan wanted to stop and explore Madagascar, while Albuquerque wanted to push on to Arabia.

mart, he had laid the foundation of a fortress close to the king's palace. Disaffection and treachery among his captains thwarted him on the point of success, but he swept the S. Arabian coast with terrible effect, and when forced at last to run for Malabar (December 1508), he only postponed his blow. The world, he said, was like a ring, and the jewel in it was Ormuz, and he left it in the autumn of 1508 only to return and complete his conquest in the spring of 1515 (Feb.–March).

By his storm of Muscat, Calayate, Curiate, and the other ports of Arabia on the Indian Ocean, he had left only one point still to be gained in that quarter, and this was Aden, one of his earliest intended captures, threatened by him year after year (when each time he was called away from the attack by some more pressing danger), but never taken, even by the escalade of 1513.

Once installed as Governor of India at the end of 1509, after a year's bickering with his predecessor, Albuquerque gave his attention to the great need of his empire, as he viewed it, a centre in Malabar. First he tried Calicut, without success (January 4, 1510), then Goa (March 1510), which he secured by a sudden dash, lost again in the spring of the same year, and finally recovered before the end of November (November 25, 1510).

Next, while longing for a chance of seizing Aden, he was called off to Malacca [1] by the danger and captivity of some of his friends there. After burning resistance out of the city and bridling the Malays with the most famous of his fortresses (July 1511), the Governor returned to Goa just in time to save it from falling back into the hands of its old rulers (1512). By his storm of Benastarim (Sept. 1512) he paralysed resistance in Central India, and with the next spring (1513) he carried out his long-projected Red Sea voyage. He failed

[1] 'The greatest port in the world,' its merchants told Albuquerque (*Comm.* iii. 165–204) when they implored him to stay and guard it, offering him money to maintain it, if this were needed. His mere presence and name, they said, could keep Malacca safe for 100 years.

to carry Aden (Easter Eve 1513), but he sailed up so near to Suez that Cairo was thrown into a panic; he threatened on one side to land at Djeddah, the port of Mecca, and carry off the prophet's body from the holy city of Islam; on the other bank of the narrow sea he tried to interest the Negush of Abyssinia in a gigantic plan. To punish the Moslem world and stop the advance of the Turks, the Nile was to be emptied into the Red Sea near Suakim by a new channel dug through the desert. This was not mere bravado. K. Manuel was even requested to furnish practised spadesmen from Madeira.

Only two years more of life and government were left to him, but in these he secured both Calicut and Ormuz, gained a complete mastery of the coast from Guzerat to Ceylon, and began the formation of a league by which he hoped to prevent any further advance of the Ottomans in Europe by crushing them in Asia. Yet it is never right to attribute so large a thing as the building up of a new state to one man. Affonso Albuquerque is no exception to the rule that history requires many heroes for any great result.

Of his policy of controlling the kingdoms and commerce of the interior as well as of the coast, it may be enough to give a very few examples.

His offers of protection and overlordship to the inland prince from whom he had taken Goa, to Cambay or Guzerat,[1] and to Narsinga or Vijayanagar, the great Hindu state of the Deccan, threatened by five surrounding Moslem principalities; his eagerness to establish a Portuguese resident wherever possible, even in the farthest upland; and his evident purpose of using native Christians of South India as a means of spreading his influence in the heart of the country—all these were indications of a far-reaching plan of operations, scarcely limited to the control of coast towns, however wealthy and useful. But it is curious to see among the persistent opponents of the Viceroy's plans, in this as in

[1] Under a Rajah who was commonly supposed to be a practised poison-eater '. . . whose food was ape and basilisk and toad' (Butler's *Hudibras*).

other points, no less a man than Ferdinand Magellan, that

Portingal in all save loyalty,

who made in after days the first voyage round the world, and thus filled up the debt of science to Portuguese explorers.

Albuquerque's social policy was especially concerned with Goa, but success in one city would have led to the application of the same method to every other part of the empire.[1] To make his chief conquest into an independent centre of European influence he tried to fill it with a new race. He began by marrying 450 of his most trusty followers to native women : to every one of the newly married pairs he assigned houses, lands, and cattle, 'dividing in this manner even the treasure trove.' The plan was denounced by the 'blockheads' of his own camp, whom he satirised in his letters home, 'sitting in state like idols in their pagodas;' but it was the thing most dreaded by his clear-sighted enemies. The Sultan of Cairo, the Commentaries tell us, would often ask if in the past year the Portuguese had settled many families in Asia; the Indian rajahs were kept constantly informed of the new population of Goa.

The complement of this scheme of governing India through Eurasians lay in the alliance of Christian and Hindu against the Moslem, which had suggested itself from the first days of the new era, but which Albuquerque carried much further than ever before, showing system and method in what had seemed but an accidental collection of facts. Thus, in the settlement of Goa, the wishes and prejudices of the Gentoos were carefully consulted; but 'the blood of the Turks was poured out continuously for the space of four days and nights;' Moslem tombstones were freely used in the new fortifications of the city; mosque property, far more than

[1] Albuquerque, too, looked on Goa as typical of his empire and policy, and held the strongest views as to its retention. Writing home to D. Manuel, he tells him he (the king) will merit more if he will guard it from his courtiers than he (Albuquerque) deserved by his capture of the town (*Comm.* iii. 42).

temple property, was used to endow the new churches of the conquerors.

And yet the Viceroy, while posing as the great uprooter of Islam, was really adopting in part what more bigoted Portuguese thought 'the diabolical method of the Moors,' by disregarding caste distinctions (in many ways) and enlisting the abjects of the lower classes in his service, as well as the warriors and Brahmins who had long enjoyed a prescriptive right of arbitrary murder, torture, and insult over men who forfeited their lives if they came within smell or sight of their lords. Before he died Albuquerque had challenged the Hindu religion by forbidding Suttee in Goa; he had not time to test the strength of the cast-iron social system, with which he was in name allied, but which would have proved itself an unbending foe to his revolution.

Lastly, Albuquerque impressed the Eastern world as the possible leader of a combination of power which aimed at a reconstruction of the Asiatic empires, not merely in India and the Southern Ocean, but throughout the continent. An alliance to which he tried to win China,[1] Siam, the Gentoo States of Hindostan and the Deccan, Sheikh Ismael and the heretic Moslems of Persia, the Nestorian and independent Christians of the East and of Abyssinia, and whose aims were expressed as the conquest of Arabia, the sack of Mecca, the overthrow of the Ottomans, and the desolation of Egypt, as well as the revival of the subject Christianity of the East through reunion with the victorious Church of Rome—this was the projected result of his designs, and this was what men saw in his often expressed wish to cross swords with Sultan Selim.

While he was working from the south and east, he looked to the Court of Lisbon to help him from the north and west; he hoped to meet his sovereign in the bazaars of Cairo, after the rising power of the Turks had been pierced through by this double fire. The Persians could hold Syria and the other tracts of Western Asia, if they could conquer them; the

[1] Through his intercourse with the Chinese junks at Malacca.

Chinese, perhaps even the Russians,[1] would be useful in other quarters of the world. Such was the picture painted more and more clearly by the Viceroy's letters.

With his death these vast and shadowy aims disappear from the Portuguese policy, which tended to revert to the simpler, safer, and smaller ambitions of a commercial empire. No more colonies realised the suggestion of Goa; in missions alone was Albuquerque's design, of leavening the native world by a Christian civilisation and a Europeanised society, at all advanced.

But, though his wider schemes died with him, yet, as he wrote to D. Manuel, while his country kept her empire and her colonies at all, the 'affairs of India spoke for themselves and for him,' and his son might well throw down the challenge, as he does to later rulers, 'Let him that did more than this, go before him.'

But there is another side to the picture. In the splendid energy of the Portuguese aggression we cannot forget its ruthless cruelty. The conquerors fought, as Almeida says, like men at war with animals, and they often treated the conquered accordingly.[2] Da Gama, on his second voyage, burnt a great pilgrim ship of the Moors down to the water's edge with all her crew, and mutilated his prisoners so savagely as to disgrace the name of man. The first Viceroy blew his captives, taken at Diu, from the mouths of guns at Cananor: Albuquerque himself, in his Arabian campaigns, cut off the hands and feet, the ears and noses, even of old men; the butchery of women and children was a constantly recurring feature of the storm and sack of cities by the unchained devilry of the Portuguese freebooters.

[1] At the final capture of Goa Albuquerque entertained a Russian deserter from the Moslem service.

[2] Cf. *Correa, Second Voyage of Da Gama*, c. vi. viii. ix. and *Stanley Preface*, xxix. So Gonsalvo Vaz Goes in 1509 captured a ship, plundered it, sewed up the crew in the sails, and scuttled the vessel. Da Gama knocked his prisoners' teeth down their throats on other occasions, cut off hands, feet, noses, ears, and lips, tied their mutilated limbs in strings round their necks, and piled up heaps of his wretched victims in open boats which he let drift out to sea.

And yet the natives of India came to pray at the tomb of Albuquerque in Goa for deliverance from the tyranny and injustice of his successors. For the doctrine of Barros found more and more acceptance, that, 'since Moors and Gentiles are outside the law of Christ Jesus, which every one is obliged to keep on pain of eternal fire, and thus are already condemned in the principal part, which is the soul, that part of them which it animates cannot be privileged with the benefits of our law, because they are not members of the Evangelical congregation.'

And if this could be done in the green tree, what would be done in the dry; if this could be thought and said and acted on in the earlier and better days of Portuguese rule, what was likely to be the case in the later days of decline, when the Goan Inquisition, 'worse than the Spanish,' had been set up in Malabar, and European soldiers found their most exquisite enjoyment in throwing natives to the crocodiles?

The Moslems of India, so their defenders pleaded, 'had formerly lived in tranquillity; abstained from all oppression of the land; shown regard to the old usages of Malabar, with unrestricted kindness to the natives:' the Frank Christians, on the other hand, were often uncommonly like the adventurers described by Swift. 'A crew of pirates are driven they know not whither: at length a boy discovers land from the mast-head: they go on shore to rob and plunder: they see a harmless people, are entertained with kindness; they give the country a new name; they take formal possession of it for the king: they set up a rotten plank or a stone for a memorial: they murder two or three dozen of the natives, bring away a couple more by force as a sample, return home and are rewarded. Hence begins a new dominion, acquired with a title "by divine right." Ships are sent with the first opportunity: the natives driven out or destroyed: their princes tortured to discover their gold; a free license given to all acts of inhumanity and lust; and this execrable crew of butchers, employed in so pious an expedition, is a modern colony, sent out to convert and civilise an idolatrous and barbarous people.'

'But it was not foreseen, says a Portuguese historian, that the infamous and unheard-of comportment of our people might render the most lucrative commerce in the world an insupportable burden. It was not prophesied that the shameless villany of our countrymen would lead to the destruction of our rule.'

THE EARLDOMS UNDER EDWARD I.

By Professor T. F. TOUT, M.A.

I do not propose to lay before you to-night any new theory of the constitutional position of the earldoms under Edward I. My purpose is political rather than constitutional, and, where it is not political, biographical and topographical. I wish to attempt the task of describing simply and clearly what were the number and nature of the earldoms under Edward I., with what great houses they were connected, in what districts their strength mostly lay, what manner of men the earls themselves were, and in what relations they stood to the king. I fear that I have no novelty to bring forward. The details that I shall use will come nearly all from very obvious sources, such as the printed Calendars of Post Mortem Inquests, Dugdale's 'Baronage,' the Lords' 'Reports on the dignity of a Peer,' and the ordinary chronicles and printed records of the time. Many of my facts I came across in a task that has occupied me a good deal lately, and which I have found to be by no means an easy one. I have been trying to construct a territorial map of England under Edward I., with the special view of finding out in what districts lay the power of the chief baronial houses. My excuse for laying my facts before you is that, however trite and dull they may seem, they are not always known by those who might be expected to know them. When lecturers and text-book writers—to say nothing of more serious authors—are still sometimes content to repeat the grossest inaccuracies as to the power and position of the greater nobles—when the standard historical atlas makes the 'Grafschaft Oxford' the 'Gebiet der Vere,' and the

'Grafschaft Westmoreland' the 'Gebiet der Nevill,' the elementary truths that I wish to drive home cannot be said to have obtained very general acceptance. We may go so far in gratifying what a brilliant French scholar describes as the 'goût excessif de l'inédit' that we are prone to forget how large a portion of historical truth is already in some form accessible to the earnest worker. It is truth of this old-fashioned sort that I wish to set before you to-night. So far as I shall have to generalise, all that I can hope to do is to point out the general bearing of the particular details on the broad currents of English history of the time, and see in particular what light our facts will throw on the character and policy of Edward I., and what phases of the chronic struggle of crown and baronage are best illustrated by his reign.

The reign of Edward I. is more generally looked upon as the starting-point of a new period than as the concluding act of an old one. And yet it is quite as true to regard the work of the most conservative of our great reforming kings as summing up the tendencies of preceding generations, as it is to look on it in its more usual aspect as the time which witnessed the laying of the foundations of the English constitution and of the English nation, such as we have known them in subsequent ages. The history of the great noble houses and of the estate of the baronage under Edward I. illustrates very clearly both these aspects of his policy. It was Edward—as we have often been told—who created the House of Lords, who defined the limited peerage of England, and saved us from the danger both of a small aristocratic oligarchy and of the infinitely extended privileged noblesse of most continental countries. Edward's reign is therefore a fresh starting-point in the history of the English peerage. Yet to contemporaries, ignorant of the future, his reign seemed rather the end of the old than the beginning of a new period. The dying out of great houses was one of the most conspicuous marks of the time, and the king's strong hand seldom unlocked the fountain of honour from which new titles and dignities flowed. The destruction of ancient houses was particularly conspicuous in the case of the earldoms, and Edward, faithful to the policy

which had prevailed with the English monarchs since the accession of Henry II., took hardly any steps to supply the void by fresh creations. The idea of William the Conqueror to limit as far as possible the number of earldoms was still a guiding principle with his successors. The earldoms, though now shorn of most of their official position, and often standing in but a nominal relation to the shires which gave titles to their holders, still retained all the prestige which belonged to them as the highest rank of the peerage. Their holders were the natural leaders of the people—the hereditary advisers of the crown. Vast estates and a long tradition of authority still further heightened the position of the typical earl. Even in the hands of a dull and commonplace person—provided that he were but brave and strenuous—the dignity of earl was so great that it could not but exercise immense weight.

The number and dignity of the great earls had been steadily on the decline throughout the reign of Henry III. The last Mandeville Earl of Essex had died in 1237. In that same year the last of the old line of the Earls of Chester died at the age of thirty. When Hubert de Burgh died, 'full of years,' in 1243, his Earldom of Kent came to an end. The last Marshall Earl of Pembroke died in 1245. In 1250 the last of the Longsword Earls of Salisbury died in Egypt. The earldom of Albemarle became practically extinct when the death of William de Fors in 1260 was soon followed by that of his infant son. Two years later Earl William's brother-in-law, Baldwin of Redvers, the last Earl of Devon of that house, died at Paris, and only the Countess Isabella, sister of Baldwin, widow of Thomas, represented with her little daughter Avelina two illustrious baronial stocks. The Winchester earldom passed away in 1264, on the decease of Roger de Quincy. The earldoms of Leicester and Derby were transferred from the houses of Montfort and Ferrers to the crown as the two greatest forfeitures that attended the royalist triumph at the end of the Barons' Wars. Against such wholesale fallings away, it was but of little avail that some of the escheated earldoms were regranted to kinsfolk or dependents

of the crown, that some were incorporated with other earldoms, that in one or two cases (for example, the earldom of Lancaster) fresh earldoms were, contrary to the general policy of the crown, called into existence, and that in other cases (the most conspicuous were the Fitzalan earldom of Arundel and the earldom of Cornwall revived in favour of Henry III.'s younger brother Richard, afterwards King of the Romans) old earldoms were revived for the benefit of new families. The result was a grievous diminution in the number of earldoms, which under Edward I. never exceeded twelve, a number that was still further diminished to ten before the end of his reign. Under Edward II. the number fell still lower. The chroniclers saw and lamented the falling off in the numbers of the earldoms. The anonymous chronicler of Edward II., who is generally described without much evidence as the Monk of Malmesbury, sets down the weakness of England which led to the crushing disaster of Bannockburn as largely due to the diminution of the number of the great earldoms. 'Posterity will wonder,' he says,[1] 'how the Scots were audacious enough to resist the English, and why the valour of the English was suddenly found wanting. But a people without a leader is easily dispersed, and the members are found wanting when the head is laid low. There was a time when fifteen earls or more were wont to follow the standard of the English kings to battle. But now only five or six earls bear help to our king.' The Malmesbury writer can only see in this falling away the judgment of heaven on the pride and insolence of the English. Every man strives to surpass his betters, and those who have not sufficient patrimony turn to robbery and despoil their neighbours. 'Thus it is,' he continues, 'that the magnates of the land either fall in battle or die leaving no sons, or leave but daughters to divide their inheritance, so that the name of the father vanishes for ever.' The process of decay still went on; the few unlucky creations of Edward II. did little towards turning the tide. It was reserved for Edward III. to make a new starting-point in the

[1] Chron. Edward I. and II., ed. Stubbs, II. 212; cf. II. 207.

history of the English Earldoms by his lavish new creations. In 1328 three earls were appointed at once.[1] In 1337 no less than seven earls were nominated together in Parliament.[2] But Edward III.'s House of Lords carries us far beyond the limits of this paper. With the increase that followed his new creations something at least of the ancient prestige of the earldom departed for ever. Newfangled titles like duke and marquis had robbed the earl of the pride of place which had so long belonged to his office.

The process of diminution was checked during the greater part of Edward I.'s reign, though only to begin again with greater rapidity than ever under his successor. The Barons' Wars made almost a clean sweep of the older generation of actors in the political drama, and when Edward I. returned home in 1274 to take upon himself the work of ruling England, he found that the majority of the eleven earls, who now alone held that office, were young and vigorous men, who were substantially his contemporaries. In 1274 Edward was thirty-five years of age. His brother Edmund, Earl of Lancaster, Leicester, and Derby, was twenty-nine—six years his junior. His cousin Edmund Earl of Cornwall, who had succeeded his father Richard King of the Romans in 1272, was only twenty-four. Gilbert of Clare, Earl of Gloucester, who, like Edward, had begun his political career in the Barons' Wars, was thirty-one. The old Earl of Hereford was at death's door, and had long given place in all practical business to his son Humphrey de Bohun junior, a young man of twenty-three, who next year (1275) succeeded to his father's title. Henry of Lacy, Earl of Lincoln and Salisbury, was about four or five and twenty. Roger Bigod, Earl of Norfolk, was thirty-four, a year younger than the king. Robert de Vere, Earl of Oxford, was about the same age. William of Valence, Earl of Pembroke, was a good deal older. I am not sure of the time of his birth, but he was probably approaching the ripe old age of fifty. John of

[1] Galfridus le Baker, p. 42, ed. Thompson. Murimuth, p. 58, R.S.
[2] Murimuth, p. 29.

Brittany, Earl of Richmond, Edward's brother-in-law, was exactly the king's age. John Warenne, Earl of Surrey, was four years older. William Beauchamp, Earl of Warwick, was about forty-seven, and twelve years Edward's senior. This makes (if we exclude the moribund Earl of Hereford) an average of a little over thirty-three years of age for the eleven earls.

The fact that a series of young earls started on their political career along with the young king is of the more significance when we remember that the early training of Edward had been almost exactly that of any other great English noble. Some of the earls had been Edward's comrades and companions from youth up, and the king was always a good friend. Moreover, many of them were Edward's near kinsfolk. Edmund of Lancaster was his brother; Edmund of Cornwall his first cousin; Gilbert of Gloucester was married to one of Edward's Poitevin cousins, and afterward became his son-in law; the young Humphrey of Hereford married in 1275 a cousin of Edward's wife; William of Valence was Edward's uncle; John of Brittany his brother-in-law. It was inevitable that so small a body of men, so closely united by ties of blood, education, and association, should either be warm friends or bitter enemies. When we remember the chronic hostility that was inevitable between a strong king and his great lords, it is not going too far to describe Edward and his earls as close friends. The baronial opposition hardly existed in the early part of his reign. Only the fierce and turbulent Gilbert of Gloucester kept up any consistent show of opposition. The earls, for the most part nearly related to Edward, were unswervingly faithful to him. Lancaster, Cornwall, Pembroke, and Richmond had no policy but that of their kinsman. And Henry of Lincoln, less closely connected by blood, was bound fast to Edward by ties of loyalty and service that endured as long as his life. Of all the earls, Henry of Lacy was the most persistent friend of Edward. With fidelity as great and ability much greater than either Edmund of Lancaster or Edmund of

Cornwall, he remained the most steadfast and faithful of Edward's ministers.

Life in the middle ages was short and violent, and a certain lack of stamina often attended the greatest historical houses. But the long life and green old age of Edward showed that even in the thirteenth century, when men were thought old at five-and-forty, a healthy and active man might preserve his faculties unimpaired until he was seventy. And the same good health or good fortune attended the group of young earls who surrounded Edward's throne. It is next door to impossible to get any clear idea of the character of the subordinate characters of mediæval history. The chroniclers seldom go beyond vague epithets, and the legal records are of course silent as to motives. But we can faintly discern a sort of healthy monotony of character in Edward's earls. The majority of them shared in the king's strong health, sound physique, high courage, and vigorous character, though they had less claim to participate in his higher statesmanlike qualities. They were brave, strong, active, commonplace men, with the ordinary prejudices of their station.

For more than twenty years not a single earl died. The only change was that a new earl was added to their number. There were twelve English earls in 1294. The new comer was Richard Fitzalan, a young man born in 1267, who was now fully recognised as Earl of Arundel, though there seems no very definite evidence for Vincent's statement that he was created earl in 1289. The only other fresh creation had been the revival of the earldom of Chester (Edward's youthful appanage, on his accession annexed to the crown) in favour of the King's eldest son Alfonso, but the young prince's premature death soon brought the great palatinate back into the hands of his sorrowing father. The only difference was that the average age of the earls had risen to fifty-three, while Edward himself was now fifty-four. From the mediæval standpoint they were almost an assembly of patriarchs. Excluding Arundel, who was twenty-seven, the youngest earl was Hereford, who was thirty-nine;

Pembroke and Warwick, the oldest, were between sixty and seventy.

The last few years of the thirteenth century sadly thinned the little circle. Edward had already lost his faithful wife Eleanor, and Bishop Burnell, the wisest of his ministers. In 1295 he lost the first of the noble band that had for three-and-twenty years given lustre to his throne. In that year died Gilbert of Gloucester, turbulent to the last, and hardly to be trusted by the king despite his marriage to Joan of Acre. In 1296 came more severe losses. Three earls perished during the year. Edmund of Lancaster died in Gascony, worn out by the trickery of the French and the burdens of defending his brother's Aquitanian inheritance. William of Pembroke perished at the good old age of sixty-five, and Robert de Vere, the insignificant Earl of Oxford, was also gathered to his fathers at Castle Hedingham. Their successors were children, except Robert de Vere, the new Earl of Oxford, whose position was, however, as little important as that of his father. These deaths cut down the number of effective earls so considerably that men who had hitherto taken no great part in our history step of necessity into a foremost place. Edward's financial difficulties had brought about a renewal of the baronial opposition. As everybody knows, the Earls of Norfolk and Hereford became in 1297 the leaders of the opposition that secured the famous Confirmatio Cartarum. Dr. Stubbs has spoken with not too great severity of the factiousness of their conduct and the lowness of their ideals. It is worth pointing out that they simply led the barons, not by reason of any special fitness, but because there were no other full-blown earls who could take up the position. The Earls of Gloucester, Pembroke, and Lancaster were children; the Earl of Warwick an old man; the Earl of Cornwall was the king's close friend and near kinsman; the Earl of Lincoln was Edward's most trusted minister; Richmond was Duke of Brittany—a non-resident foreigner; the Earl of Arundel was serving in Gascony; Warenne was regent of Scotland; the Earl of Oxford was

young and poor. There are no earls left except Bohun and Bigod, who thus had greatness forced upon them because there was positively not a single other earl available to give dignity and splendour to the ranks of the opposition.

The circle of Edward's old earls was now still further narrowed. In 1298 Hereford himself died, as did William Beauchamp, the venerable Earl of Warwick. In 1300 Edmund of Cornwall followed them to the grave. Arundel died in 1302, Surrey in 1305, and John of Dreux (Earl of Richmond and Duke of Brittany) and Roger of Norfolk in 1306. Of the eleven earls who had welcomed Edward when he first took possession of the government of England, one only survived him. This was the faithful Henry of Lincoln, who did not die till 1311, striving down to the end of his life to devote to the thankless service of Edward II. the loyalty and faithfulness that he had so long lavished upon Edward I.

Much need not be said of the younger generation of earls who during the last ten years of Edward's reign gradually took the places that their fathers had held so long in the king's court, host, and council. The earldoms of Arundel, Gloucester, and Surrey were held by minors, whose active career only began with the last campaign of Edward against the Scots. Edmund Fitzalan, Gilbert of Clare (Edward's grandson), and John of Warenne all received the grade of knighthood at that solemn Whitsuntide feast in 1306 when Edward's eldest surviving son, Edward of Carnarvon, was himself dubbed knight by his father. Edward of Carnarvon, it may be added, had himself been added to the number of the earls in 1302, when his father conferred on him the Principality of Wales and the earldom of Chester. It is true that during Gilbert of Clare's minority his stepfather, Ralph of Monthermer, held for a time the earldom in right of his wife, Joan of Acre. But though Edward I. might get over his indignation at his daughter's second marriage with a simple knight, neither the custody of the Gloucester inheritance, nor the writ of summons as an earl to Parliament, nor the favour of the sovereign and his

daughter, nor even the rich provision (on paper, at least) which Edward made for his unwelcome son-in-law at the expense of the rebellious Scots, could give a Ralph of Monthermer—strenuous knight though he might be—the status of a magnate of the house of Clare. There is no need to say anything of the Earls of Angus and Buchan and other Scotch earls of Edward's party, who were rewarded for their faithful service, or consoled during their exile, by an occasional summons to the English Parliament.

A second group of the younger generation of earls comprised those who were considerably the seniors of these four contemporaries of the Prince of Wales, and were already in possession of their estates some years before the old king's death. Thomas of Lancaster, born perhaps in 1278, had the livery of his father's three earldoms in 1298, and became the husband of Alice de Lacy, the heiress of her father's earldoms of Lincoln and Salisbury, in 1294. But it needed the stormy days of the weak Edward II. to bring out the true character of the violent, greedy, and incapable faction-leader, whose great possessions and strong passions made him the leader of the turbulent Ordainers in their long war against his cousin, and whose violent death at Pontefract made him, unworthy as he was, the martyr of the cause of popular liberty. The same may be said of the new Earl of Warwick, Guy de Beauchamp, the 'black dog of Arden,' as Gaveston styled him, the most implacable and treacherous of the enemies of the Gascon favourite. Warwick was twenty-eight years old when he succeeded to his father's earldom in 1298, but he made no very great mark in the history of the later years of Edward I. In the same position was Aymer de Valence, the new Earl of Pembroke, born a little before 1280, who began his active career with his first summons to Parliament in 1297. The young Earl Humphrey of Hereford was about four years older, but his marriage in 1302 to Edward's daughter Elizabeth, the widowed Countess of Holland, kept him for a time a supporter of the royal policy. Even more strenuous in the same policy was John of Brittany

(Earl of Richmond after 1306), who had long represented the interests of his father, the reigning Duke of Brittany, in England, and who was so thoroughly trusted by his uncle, Edward I., that he made him the chief representative of his policy in Scotland. Under Edward II. nearly all these earls figured among the Ordainers. Under Edward I. they preserved an extraordinary tranquillity.

The earldoms of Cornwall and Norfolk lapsed to the crown, as neither Edmund of Cornwall nor Roger Bigod left any children. John of London, the panegyrist of Edward, regards the acquisition of these two earldoms by the king as second only in importance to the conquests of Wales and Scotland. After speaking of these latter conquests he goes on: 'Nihilominus comitatibus Cornubiæ et Northfolchiæ, disponente Eo cujus est orbis terræ et plenitudo eius, ad manus Edwardi mirabiliter devolutis, suis successoribus, amplissimam reliquit materiam gloriandi.'[1] But even before Roger Bigod's death Edward had got a tight hold of his succession. Worn out by the long struggle against the proud and relentless king, crippled with debt and unable to meet the demands of his brother—a clerk named John, who pressed him for repayment of loans advanced to him—Norfolk was forced in 1302 to accept the hard terms which Edward imposed upon him. He absolutely surrendered his estates and dignities to the king, who, after a short interval, granted them back to him under the limitations of the Statute de Donis, to be held by him and the heirs of his body. On Norfolk dying four years later, without children, the whole of his estates lapsed to the crown. They were destined by Edward to form the appanage of his son by his second wife, Thomas of Brotherton, then a boy of six, but it was not until the next reign that the regrant of the earldom was effected.

Edward I. had more than once already pursued the same policy which he carried off so successfully in the case of the Earl Marshal. Early in the reign he had procured from Isabella de Redvers, the heiress of the Devon earldom and

[1] Commendatio Lamentabilis, in Stubbs's Chron. E. I. and II., II. 9.

the mother-in-law of Edmund of Lancaster, the reversion of her lordship of the Isle of Wight. After her death in 1293 Edward became direct lord of the island, leaving only the Devonshire property to revert to Isabel's heirs, the Courtenays. Again in 1302, on the occasion of his marriage with the king's daughter Elizabeth, Humphrey of Hereford went through the same form of surrendering his estates to the crown and receiving them back entailed on the heirs of his body. But the large family which Elizabeth bore to Humphrey made in this case Edward's precaution of no practical importance. In such transactions we are reminded very strongly of the similar policy of Philip the Hardy, who, as M. Langlois points out, was never weary of rounding off the royal domain by various contracts and agreements with his vassals, and who, though, like Edward, professing to recognise every undoubted legal right of the feudations, took good care not to allow them any fresh claim, and strove by all the subtleties of mediæval chicane to hedge in and limit even those rights which they actually possessed.

Edward's policy to the earldoms now took a very definite shape. He sought wherever he could to absorb them gradually into the sphere of the royal influence. He strove to acquire for the royal family as many of the earldoms as he could, and thus to turn to the service of the crown resources which for many previous generations had been employed in keeping the crown in check. The actual escheats helped largely in this direction. The surrenders and regrants under conditions made a step still farther forward, but a series of judicious marriage alliances were the most effective means of absorbing decaying families into the royal house. Edward I. pursued, in fact, the policy of filling the great fiefs with members of the royal house and concentrating them in a few hands which Edward III. was afterwards to carry out more systematically in his famous family settlement.

Something had already been done in this direction before Edward's time. Edmund of Lancaster, no doubt largely through Edward's influence, had not only been endowed with

the new earldom of Lancaster and the lapsed earldoms of Leicester and Derby. He had been married, as we have seen, to the greatest heiress of her time. If Avelina de Fors had lived she would have inherited both her mother's great possessions—the estates of the Devon earldom and the Isle of Wight, as well as the rich northern inheritance of the Earls of Albemarle and Holderness, which came to her from her father. But Avelina's death without children during her mother's lifetime robbed Edmund of this double prospect. A great inheritance came indeed to Edmund by his second wife, but the regency of Champagne and the prospects of the same position in Navarre did nothing to improve Edmund's position as a great English nobleman, though it made him for several years one of the great peers of France. But Edward found another great heiress for Edmund's eldest son, Thomas of Lancaster. This was Alice of Lacy, the sole heiress through her brothers' untimely deaths of the two earldoms, Lincoln and Salisbury, which were held by Henry de Lacy. After 1311 Earl Thomas of Lancaster ruled over no less than five earldoms.

Other marriages tended in the same direction. The marriage of Joan of Acre with Gilbert of Gloucester secured the succession of the Gloucester inheritance to Edward's grandson, the young Earl Gilbert, who died fighting so gallantly at Bannockburn. The marriage of the younger Humphrey de Bohun with Elizabeth of Holland secured for another grandson of Edward I. the earldom of Hereford. The earldom of Chester belonged to the king's eldest son. Cornwall, up to 1310, was in the hands of his cousin, and afterwards escheated to the king. Add to these facts that many of the other earls—Pembroke, Richmond, and Warenne, for example—were already near kinsmen of the king, and we can measure the success of Edward's policy, a policy carried out more completely when his younger children, Edmund of Woodstock and Thomas of Brotherton, received from their eldest brother the earldoms of Kent and Norfolk. There is no need to expatiate on the failure of this policy. The

royal earldoms thus strengthened by Edward's care, only strengthened the great combination against Edward II. which passed the ordinances and finally drove the king from the throne.

I must now turn to another side of my subject, and explain very briefly the territorial position of the various earldoms under Edward. This is a difficult task, partly because of the imperfection of our printed materials[1] and partly because of the extraordinary way in which the estates of the great landholders were scattered in small parcels all over England. Despite the strong tendencies that made for concentration of estates, the famous policy of William the Conqueror still prevailed in spirit. We must seek for the honour of Wallingford almost everywhere besides in Berkshire, and the honour of Eye was by no means a great jurisdiction enclosed within a ring fence in Suffolk. Kidwelly was part of the earldom of Lancaster, and in a great part of Lancashire the earl who took his name from the shire had very little property. In what I am laying before you I shall ignore the small scattered estates, and speak only, and then but in very general terms, of the greater aggregation of territory, jurisdiction, and influence. I will take 1290, as nearly as I can, as the period at which to make the description. It is before the great changes of the end of Edward's reign. It is late enough on to enable such changes as had been effected earlier to have worked out their results.

The greatest aggregations of territory belonged to the king's nearest kinsmen among the earls—the two Edmunds of Cornwall and Lancaster. The earldom of Edmund of Cornwall included not only a vast number of manors, possessions, and jurisdictions in the county of that name, along with the

[1] The so-called calendar of Inquisitiones post Mortem of the Rec. Com. is the most tantalising and vexatious of authorities. We want the Post Mortem Inquests calendared with the same scholarship and skill as has been shown in the admirable Close and Patent Roll Calendars that are now emanating from Fetter Lane. I have not given references to the particular passages of the Calendar of Inquests, but nearly all the subsequent statements of fact are derived from this source.

pleas of the shire, the profits of the stannaries, and a whole swarm of similar rights; the earldom also included a vast tract in Devonshire, the huge manor of Lidford, the whole of Dartmoor, and other lands extending as far as Exeter, which city with its castle was within the earl's domain. A prince who ruled from the Land's End to Exeter was a potentate of no small authority, and we can well understand the strong terms employed by the chroniclers when this great territory was added to the royal demesne in 1300. But Edmund's possessions were much more extensive than these. He held a great estate in the Upper Thames valley, the nucleus of which were his honours of Wallingford and St. Valery. From his favourite abode in Wallingford Castle he ruled over nearly the whole of southern and south-eastern Oxfordshire, from Henley up to the higher reaches of the Cherwell valley. Moreover, he possessed the districts immediately around Wallingford, in Berkshire, a good slice of the vale of White Horse, with Didcot and Pusey, and a much greater extent of territory in Buckinghamshire, with Eton, Datchet, Amersham, and Swanbourne, with a considerable estate in the north of the county. These Buckinghamshire possessions were practically continuous with the great Hertfordshire estate that centred round the castle and honour of Berkhamstead, while more to the south they were prolonged into Middlesex, where the earl's possessions included Isleworth and Twickenham. This vast property of the middle Thames was almost as extensive and a great deal richer than the remote western earldom. There was, however, a bridge between what Edmund held in the Thames valley and his western earldom in the shape of some scattered Dorsetshire, Wiltshire, and Gloucestershire estates, including the town of Chippenham and the castle of Mere. Edmund was also a great man in Western Suffolk, where he possessed the town, castle, and honour of Eye. Another great aggregation of Edmund's territory was in the north-west of the Midlands. In Lincolnshire his manors ran all along the east of the county from the banks of the Trent and Humber down to the region

round Stamford, in which district his manors lay particularly thick upon the map. These possessions bordered on Rutland, where he possessed the castle and town of Oakham, the permanent sheriffdom of the little shire, a few manors, and many centres of revenue and jurisdiction. Further south he had Rockingham as the centre of his Northamptonshire property. His northernmost estate was in Yorkshire, where he owned the town and castle of Knaresborough, the towns of Boroughbridge and Aldborough, and an extensive property in the southern part of the North Riding. This long and tedious list is by no means exhaustive. In no part of central and southern England was his power quite unrepresented. It was a good thing for Edward that Edmund was a peace-loving and faithful subject. His shadowy and indistinct figure comes seldom across the history of the time, save when, during Edward's long absences abroad, he acted as regent for his cousin. He married a sister of Earl Gilbert of Gloucester, but died without issue.

Edmund of Lancaster is almost as shadowy a personage as Edmund of Cornwall, and, like his namesake, seems to have had no policy except the loyal fulfilment of his brother's wishes. Of him and his character, career, and estates I need say little, as you will before long be in a position to read an elaborate monograph on him in the 'English Historical Review' by a pupil of mine, Mr. W. E. Rhodes. What distinguishes him from the Earl of Cornwall was that he was a great man beyond sea as well as in England, by reason of his second marriage with Blanche of Artois, the granddaughter of the French king, herself the Queen Dowager of Navarre and Duchess of Champagne, and through his guardianship of his stepdaughter Joan, who became the wife of Philip the Fair of France, bringing to the French crown as her rich marriage portion that duchy of Champagne over which Edmund had ruled for several years as regent. But though thus called to great destinies, Edmund's character and ability were hardly equal to his position. He was brave, loyal, religious, chivalrous, and faithful; he was open-handed

and popular with soldiers, but he was easily outwitted as a diplomatist, and easily discouraged both in the Cabinet and in the field. His chief historical importance after all lies in his great possessions, in the means taken to enlarge them still farther, and in the fact that he was the ancestor of the famous line of earls and dukes of Lancaster, who, after a century of leadership of opposition and championship of constitutional government and ecclesiastical orthodoxy, at last mounted the throne in the person of Henry IV.

The three earldoms of Edmund of Lancaster, Leicester, and Derby had best be taken together, so as to get a general view of Edmund of Lancaster's territorial influence. His estates were even more widely scattered than those of Edmund of Cornwall. Perhaps the greatest seat of his power was in the northern and central midlands, but he was also a mighty man in the north (especially in Lancashire and Yorkshire), and in the southern marches of Wales. His chief centre of influence included the whole of eastern Derbyshire, the northern parts of Nottinghamshire, the east of Lincolnshire (Lindsey), nearly the whole of Leicestershire (where Leicester itself, one of the great boroughs of mediæval England, was included in his domain), the north-eastern parts of Staffordshire, including Newcastle-under-Lyme and the great fortress of Tutbury, while more to the south his power extended into Warwickshire, where he largely resided at Kenilworth, and some parts of Northamptonshire. In the whole Trent valley, from its source to the Isle of Axholme, he was the greatest lord. Moreover, his northern property was sufficiently near at hand not to stand quite out of relation to his central estates. In Lancashire he ruled supreme in his castle of Lancaster over the lands between the Ribble and the mountains of the Lake District, as well as in that south-western hundred whose name of West Derby suggested some sort of connection with his second earldom, and which included Liverpool and all the region around it. In Yorkshire his possessions were not so extensive as those of his successors, though he was master of Essingwold and Pickering, and of a fertile region to the

south of the great moorlands of the North Riding. He had an outlying estate in Northumberland round the sea-girt castle of Dunstanburgh, another in Suffolk, and, like most of the magnates of the time, a territory of no small extent in the southern marches of Wales, where he ruled like a little king, with very extensive franchises, over the castle and region of Kidwelly in what is now but was not then Carmarthenshire, and was equally powerful in an important stretch of rich and beautiful country between the Usk and the Wye, in what was then called Upper Gwent, and is now called northern Monmouthshire. Monmouth, town and castle, was the capital of this little marcher state; the honour of Monmouth also included the castles of Grosmont, Skenfrith, and Whitecastle. An important outlying piece of property was the estate in the Vale of Kennet in Southern Berkshire that centred round Hungerford.

Had Edmund had any children by Avelina de Fors he would have added to this vast estate the lordship of Wight and the property of the old Redvers earldom of Devon, which included the most fertile regions of the great western county. His second wife brought him influence abroad which in some way compensated for the loss of the prospective inheritance of Isabella of Redvers. The great marriage concluded for his son, the future Earl Thomas, added for a time to these possessions the inheritance of Henry de Lacy. It will be best, then, to deal next with the two earldoms of Lincoln and Salisbury, which Henry de Lacy handed on to the faithless husband of his daughter Alice.

The possessions of Henry de Lacy were admirably qualified to round off the inheritance of Edmund of Lancaster. Side by side with each great mass of Lancaster property, we find with curious regularity a large slice of the Lacy estates. Thus the one part of Lancashire where Edmund had no influence was the special field of the Lacy family. In the hundreds of Blackburn and Salford, the eastern and south-eastern parts of the shire, Lacy ruled over Clitheroe, Colne, Burnley, Darwen, Bury, Rochdale, and Middleton, while, on the

other side of the Pennine Chain, his estates extended down the river valleys of the West Riding, past his castle of Pontefract to the confluence of the Ouse and the Trent. This great block of territory just formed the segment of the irregular circle in which the lands of Lancaster extended, in a line following pretty closely the vast sweep of the Trent, and closely connected the Lancashire estates with the Derbyshire and Leicestershire property which had passed to Edmund from the Ferrars and the Montforts. In the same way a bit of Lacy territory ran like a wedge in north Nottinghamshire between Edmund's Derbyshire and Nottinghamshire lands, while a long stretch of Lacy manors along the course of the Witham connected the latter Lancaster estate with Edmund's lands in Lindsey. Lincoln itself belonged largely to its earl, as did the castle of Bolingbroke, which almost approached Edmund's territory. Castle Donington and a bit of Lacy territory in northern Leicestershire similarly connected Edmund's Derbyshire lands with his great possessions in Leicestershire, while even in remote Dorsetshire the Lacy property north of Wareham was quite contiguous to the scattered Wiltshire and Dorsetshire property of the house of Lancaster. In the Lancashire hundred of West Derby, the Lacys held Knowsley, Widnes, and, beyond the Mersey, the lordship and castle of Halton in the Cheshire palatinate. And the great seat of the Lacy power in the turbulent Welsh marches was not far removed. There Edward's love of his faithful servant had conferred on Earl Henry two of the Four Cantreds of the Plain Country (Perveddwlad) between the Cheshire boundary and the River Conway, which had been wrested finally from Llywelyn of Wales in 1277. These were the cantreds of Rhos and Rhuvoniog, and included within their limits the castle and town of Denbigh, henceforth the capital of the Lacy march in the fair and fertile vale of Clwyd, while the region of Kimmerch, also granted to Lacy, included the hill country south-west of the valley as far as the boundaries of Edward's own domain lands in the conquered Principality of Wales. Add to these some

scattered Lacy estates in Herefordshire and the Gwent district that were close adjoining Edmund's lordship of Monmouth, and we see how remarkably the union of the houses of Lancaster and Lacy increased the territorial coherence of the heir of both. But the union was not very enduring. The adulterous passion of Earl Thomas for the wife of Earl Warenne led to a violent breach between him and Alice Lacy. Their union was moreover childless, and but few of the Lacy estates passed finally to Henry of Lancaster, the younger son and ultimate successor of Earl Edmund and the ancestor of the later earls and dukes of Lancaster.

Had we arranged the earldoms in their order of importance, the property of the great house of Clare would have been described immediately after the two great royal earldoms of Cornwall and Lancaster. And had we dealt with the earls in order of their personal character, there is none who could rightly be put before the strong, self-willed, vigorous and turbulent Gilbert the Red, in turns the saviour of Edward in the crisis of the Barons' War, his steadfast opponent when the victorious prince pressed too hardly on the defeated party of the Montforts, his close ally in breaking down the power of Llywelyn, his persistent foe in the constitutional difficulties in the earlier part of his reign, and, finally, the king's friend and son-in-law, though even in that capacity he did not hesitate to deeply offend his wife's father by his famous quarrel and private war with the Earl of Hereford. The power of Earl Gilbert of Gloucester centred in the west. He had outlying estates in North Devon, and in southern and eastern Dorset, where Portland, Weymouth, Wareham, and Cranborne with its chase acknowledged him as landlord. In Gloucestershire his property extended along the line of the Cotswolds from Thornbury and Chipping Sodbury to Chipping Campden, while it went down into the plain where Tewkesbury, whose great abbey contained the tombs of more than one line of Gloucester earls, stands at the confluence of the Avon and the Severn, and it extended eastwards into the upper Thames valley at Burford and Fairford. Even more important were

the Clare lands beyond the Severn. Gilbert's vast property in South Wales made him the most powerful of the lords marchers. From his castle of Cardiff he ruled as freely over his palatinate of Glamorgan as Edward himself ruled over his palatinate of Chester. So important was the lordship of Glamorgan that it had in all respects the organisation of a county. Its court was a county court, its chief officer was a sheriff, and nothing but the fact that its lords were always earls by another title prevented it getting a name as dignified as the less important earldom of Pembroke further west. In this great territory Gilbert of Clare ruled like a despot over his Welsh and Norman vassals alike. The nimble Welshmen of the hills supplied him with as many light-armed infantry as he chose to levy, while the descendants of the companions of Fitzhamon gave him a heavy-armed train of knights and squires. It has been often pointed out how important to a great English earl was the Welsh marcher lordship, where he could levy troops and play the feudal prince in a way that the king's strong arm prevented him doing in England. And not even Robert of Gloucester, the founder of the earldom, nor Gilbert's brother Richard of Clare, the associate of Earl Simon in his early struggles, knew more fully how to play their part than Earl Gilbert the Red. His private wars distracted the whole west. The Welsh often felt his heavy hand, and his castle of Caerphilly, built in the last years of Henry III.'s reign, brought in a new type of stronghold that Edward was in after years glad to copy at Carnarvon and Beaumaris. No wonder Edward was delighted to have him for his son-in-law. It was, Edward hoped, a new pledge for the security of the throne that his grandson was the heir to the Gloucester and Glamorgan inheritance.

Earl Gilbert's Welsh lands went beyond the old Glamorganshire of Fitzhamon and Robert, son of Henry I. To the west it included Neath with its castle. To the north it took in most of the wild hill country that separated the vale of Glamorgan from the more northerly march of Brecon. To the east the Clare possessions in Netherwent, between the Usk

and the Wye, included the towns of Caerleon and Usk and formed a sort of bridge leading into Gloucestershire. And in addition to these last Welsh western estates Earl Gilbert was also a great man in Ireland.[1] Moreover, the Clares were still strong in the cradle of their race in the extreme east. They had very little in Hertfordshire save the title of Earl of Hertford: but in Suffolk they had a respectable property round about the little town of Clare which either gave them their name or received its name from them. In the extreme north-west of Norfolk they ruled over the neighbourhood of Wells and Walsingham. And far more extensive and important than these districts was their great inheritance in Kent and Surrey, where a string of Clare manors ran along the upper Medway, past the famous Clare fortress of Tunbridge, westwards across the Surrey border; while on the north of the same county they were lords of Camberwell, within a very short distance of the capital itself. Even when the Clare power was on the wane, the scramble between the three husbands of the three sisters and heiresses of the Earl Gilbert that fought at Bannockburn did a great deal to pull down the throne of Edward II.

I must pass more briefly over the remaining earldoms. Richard Fitzalan, Earl of Arundel, had two great centres of influence. From his castle of Arundel he ruled over a large part of western Sussex, while his castles of Oswestry and Clun marked the two chief seats of his power in what was sometimes carelessly called even in those days western Shropshire; but which was more properly not included within that county until the reign of Henry VIII., being at this period half independent lordships marcher with extensive immunities, and no great danger from Welsh attack to lessen their practical value. Even more completely than the Clares, the Fitzalans

[1] I have excluded the Irish estates of the various earls from my examination. Though like their Welsh lands they were useful as a recruiting ground of light infantry and as a field for the exercise of feudal power, they cost more than they brought and were becoming more a source of weakness than of strength to their owners. Moreover, they stood in a much more remote relation to general English politics than their nearer and more accessible Welsh estates.

were a marcher power, and the turbulent career and tragic fate of Earl Edmund of Arundel shows that he at least had no small share of the fierce marcher spirit. The Bohun Earls of Hereford and Essex belong to the same type. Their power, greater than the Fitzalans but less than that of the Clares, was mainly in the Welsh marches, though they also possessed a considerable territory in the richer and more settled regions of south-eastern England. Their Herefordshire estates were in the close neighbourhood of their marcher lordship of Brecon in the rich vale of Usk, a district much less than the modern Breconshire, yet big enough to constantly excite the jealousy of their southern neighbours, the Clares. Hence the famous quarrel of Earls Humphrey and Gilbert to which I have already alluded. In the other end of England, the Bohuns had a considerable property in southern Hertfordshire, northern Middlesex, and north-western Essex. Their estates ran as near London as Enfield, and included the chief Bohun residence, the castle of Pleshey in Essex. Kimbolton in Huntingdonshire was an outlying Bohun estate. With a position so analogous to that of the Clares, Edward thought he did a good stroke of business by marrying the younger Earl Humphrey to his daughter Elizabeth. Yet Humphrey died at Boroughbridge fighting hard for the cause of Thomas of Lancaster.

Like the Clares, Bohuns, and Fitzalans, John Earl Warenne had (if we may use the phrase) one foot in the east and another in the west. His nominal earldom was doubtless that of Surrey, where he was lord of Dorking and Reigate, but the more important part of his home estate stretched southwards from these two towns through central Sussex, passing Cuckfield and Lewes, and advancing straight to the south coast. Lewes Castle was his chief stronghold. Though mainly famous for his celebrated baring of the rusty sword when Edward's commissioners ventured to inquire by what warranty he held his jurisdictions, Earl John was in the main a strenuous supporter of Edward. He married one of Edward's Poitevin aunts; he fought manfully for the

crown at Lewes, on a battlefield that was part of his own estate; he did good work against the Welsh; and he was regent, though a rather lazy and incompetent regent, of Scotland until the revolt of Wallace taught Edward that he must confide that great post to stronger hands. Earl John received a great accession of territory at the expense of the Welsh after the war of 1277. He was made lord of Bromfield and Yale, the parts of the modern south-east Denbighshire between the Flintshire border and the banks of the Dee, which he ruled over from his hill castle of Dinas Bran over against Llangollen. He also had a great estate in the West Riding of Yorkshire, running diagonally from north-west to south-east across the Yorkshire property of the Lacies. Sandall and Conisbrough Castles were the chief strongholds of the Warennes in Yorkshire. Halifax, Dewsbury, and Wakefield were among their possessions. They also had a fair estate in Kesteven, Lincolnshire, where they were lords of Grantham and Stamford. Their property both in Sussex and in the northern marches of Wales was immediately adjacent to the estates of the Fitzalans. Mediæval matchmakers thought more of rounding off contiguous properties than of romantic love, and the same motives which had led to the marriage of Thomas of Lancaster with Alice Lacy pleaded eloquently for the union of the Warennes and Fitzalans. Earl John's grandson, another Earl John, was the last Earl of Surrey of the house of Warenne. Alice, his sister and heiress, married Edmund Fitzalan, Earl of Arundel, after 1302. Their son, Richard Fitzalan, became ultimately Earl both of Surrey and Sussex.

Roger Bigod, Earl of Norfolk and Suffolk, had his chief property in the two counties from which he derived his titles. The Bohun manors were scattered far and wide over the two shires of East Anglia, but were nowhere more thick than round Earl Roger's castle of Bungay on the Waveney. We have seen how his earldom lapsed to the crown on his death in 1302. The Earl of Warwick, William Beauchamp, held the town and castle of Warwick, but the mass of his property

was in Worcestershire, including Worcester, Droitwich, and Elmley Castle, south of the Avon among the Bredon Hills, as chief seats of his influence.

The remaining three earls were not of the first importance. William of Valence, Earl of Pembroke, the only one of the whole Lusignan brood to get permanently settled in England, had acquired, through Henry III.'s good will and a lucky match with the heiress, the Welsh palatine earldom of Pembroke, that had such a great position under the earls of the house of Marshall, whose hereditary office had been transmitted, also through the female line, to the earls of Norfolk. But the Pembroke earldom of the Valences was hardly so important as that of the Marshalls. They were great men, of course, in South Wales, though their earldom corresponded still less in extent to the modern Pembrokeshire than the Glamorgan lordship of the Clares corresponded to the modern Glamorganshire. Speaking roughly, it only included the lands between the south bank, Milford Haven, and the sea. Haverfordwest belonged to Queen Eleanor. The north of the county, Dewsland, belonged to the bishops of St. David's, and there were independent lords of Roch, Walwyn's Castle and other small strongholds, though these, no doubt, tended to fall under the Pembroke influence. The other possessions of the Valences were not great, and widely scattered. They had some lands in the south-eastern extremity of the marches round their castle of Goodrich, near Ross. They had some lands in Norfolk, and some widely-scattered manors in Kent, of which the best known are Sutton Valence and Brabourne. In West Berkshire they were lords of Shrivenham. Their most important group of English land was in South-east Hertfordshire round their castle of Hertford.

The old connection of the earldom of Richmond with a foreign reigning house had rendered its history rather precarious and full of changes. Under Edward's brother-in-law and nephew this earldom became as influential as it ever was in English history. Its chief lands were in the district

called Richmondshire, grouped round the picturesque castle of Richmond in the North Riding of Yorkshire. Other Richmond estates were along the south-east coast of Lincolnshire, in West Norfolk round their town of Swaffham, in southern Cambridgeshire, and in the neighbourhood of their castle of Hastings, in Sussex.

The Earls of Oxford were the most insignificant of English earls. An Essex family, first brought into importance, as Mr. Round has shown us, by their kinship with the Mandevilles, the Veres had practically nothing to do with Oxfordshire, the shire from which they took their title. Their only considerable estate was in North Essex. Castle Hedingham was their chief seat, and round it their chief manors were grouped. An outlying stretch of their territory was placed south of the Blackwater, between Manningtree and Harwich.

I cannot now go on to other great houses, who in point of view of territory and influence were worthy to be added to the list of earls, and who were certainly more important than a weak earl like the Earl of Oxford. The great border family of Mortimer; the Mowbrays, mighty men in Yorkshire, in the Isle of Axholme, and in Leicestershire; the great Durham and North Yorkshire house of the Nevilles; the Yorkshire family of the Percies, translated to Northumberland—were only some instances of families that were steadily preparing their way to attain the dignity of earldoms. All these houses acquired the rank of earl before the fourteenth century had come to a close. The very fact that they had not obtained this rank under Edward I. tended to that curious concentration of power in the hands of a very select circle of great earls which is, as I pointed out, the special feature of the reign. Edward was tempted by this to persevere in his policy of connecting the few surviving great houses with the crown. But the same failure met his efforts as that which attended the more famous but essentially similar policy of Edward III. The family settlement of Edward III. brought about the Wars of the Roses. The family

settlement of Edward I. explains the reign of Edward II. While Edward I.'s earls died in their beds at a good old age, the younger generation of earls who started on their career along with Edward of Carnarvon mostly met their end on the battle-field or on the scaffold. And the only effect of allying the royal blood with the hereditary local feuds of rival houses was to degrade and cheapen the royal authority. It is thus not without its significance that the struggle for the Gloucester succession brought down the throne of Edward II.

THE CASE OF LUCAS AND LISLE

By J. H. ROUND, M.A.

THERE has been revived in various ways, within the last few years, an old subject of controversy, namely, the execution of Sir Charles Lucas and Sir George Lisle, in cold blood, on the surrender of Colchester to Fairfax in 1648. Mr. Firth's discovery of the Clarke papers, his valuable lives of the two knights in the 'Dictionary of National Biography,' Mr. Gardiner's judicial summary of the case, and—*magnis componere parva*—the erection of a memorial on the scene of the execution by a local enthusiast, have all contributed to remind us of a dispute which has led, at the hands of partisans, to heated and angry recrimination.

Briefly put, the controversy arose from an attempt by the apologists of Lord Fairfax to foist upon us the novel theory that Sir Charles Lucas and Sir George Lisle were not, as was believed, shot in revenge for their gallantry and energy in the defence of Colchester, or, as their epitaph expresses it, 'for their eminent loyalty to their Soveraign,'[1] but that they were shot for a distinct and military offence, under the sentence of a court-martial, before which they were tried, and found guilty, on the specific charge of a breach of parole. Irrespective of the rights of the case, the history of the controversy itself is not a little curious and instructive.

It shows us how, even in these latter days, it is possible to

[1] So Lucas's sister, the Duchess of Newcastle, writes that he was 'shot to death for his loyal service.'

start an historical theory which is not only absolutely without foundation, but at direct variance with all the evidence in the case, and to secure for that theory, by inventing and garbling evidence, unhesitating acceptance at the hands of one of the leading historians of the day.

This theory appears to have been first formulated, though in a somewhat tentative and rudimentary shape, in the 'Fairfax Correspondence' of Mr. Robert Bell.[1] Mr. Bell wrote as a bitter partisan, and, in his eagerness to clear the memory of Fairfax, he indulged in slanders on Sir Charles Lucas so fanatical in their language as to provoke a smile from any sober historian.[2] He also, as is not unfrequently the case, displayed an ignorance of his subject commensurate with the violence of his views.[3] Yet, disfigured as are his arguments by these two drawbacks, he at least cannot be charged with the infinitely worse offence of demonstrably perverting the truth in order to prove his case. But Mr. Bell's enunciation of the new theory was, as I have observed, tentative and imperfect. He did not venture to

[1] *Memorials of the Civil War . . . forming the concluding volumes of the Fairfax Correspondence.* Edited by Robert Bell (1849).

[2] 'Sir Charles Lucas belonged to that class of bullying, reckless, dare-devil adventurers . . . street brawlers and tavern gasconaders . . . dregs of the English population . . . roarers and cut-purses . . . disgraced by crimes and debaucheries. Sir Charles Lucas was distinguished by the unscrupulous passions and audacity of these people . . . rude, bold, and dissolute . . . ready to carry his objects by the most flagitious means . . . set fire to streets and houses, plundered the citizens, and committed other excesses of a revolting kind' (*Fairfax Correspondence*, ii. 36–40).

[3] Of this, three instances will suffice. Mr. Bell imagined that the Loyalist general, the Earl of Norwich (Lord Goring), was not one individual, but two. He accordingly described a simultaneous stand by 'Goring at Bow, and the Earl of Norwich at Chelmsford' (ii. 36), thus fairly rivalling Sir Boyle Roche's bird; and similarly enumerated among the prisoners at Colchester, '*Norwich*, Capel, *Goring*,' &c.! He also imagined that the famous passage about going 'into Court' in Fairfax's *Short Memorial* referred to the council of war at the surrender of Colchester, and from this he drew his deductions. It is obvious, of course, as admitted by Mr. Markham, that the passage referred, and could only refer, to the trial of Lord Capel, in the following year, before the High Court of Justice. Thirdly, when quoting Clarendon's opinion (expressed in the language of the period), he actually attributes it (p. 49) to Lord de Grey, who had published, shortly before, his *Memoirs of Sir Charles Lucas.*

apply it to Sir George Lisle, and though he pressed it in the case of Lucas, he spoke of the alleged breach of parole, not as the specific ground of his death, but merely as 'another' and additional charge (p. 53).

The argument was taken up afresh at this point by Lord Fairfax's biographer, Mr. Clements Markham, whose well-known 'Life of the Great Lord Fairfax' (1870) did not appear till more than twenty years after the publication of 'The Fairfax Correspondence.' Six years later, on the occasion of the meeting of the Archæological Institute at Colchester, Mr. Markham read a paper on the famous siege, which was virtually based on the narrative in the 'Life,' and in which he vigorously insisted on the acceptance of the new theory. His attack on the memory of the two Loyalist leaders, or, as he was pleased to term it, 'the sullied reputations of mere guard-room soldiers,'[1] not unnaturally evoked, as he himself admits, 'a manifestation of such interest and of such strong feeling'[2] as to lead to a very painful scene, and even, as Mr. Freeman expressed it, to 'personal insults to the chairman.' Mr. Markham, accordingly, at once published an elaborate and final vindication of his case,[3] on the ground that it was 'an opportune moment to examine the various assertions, and to state the case distinctly and impartially' (*sic*).[4] He also replied to some criticisms on his address by three letters in the local press.[5]

Having thus classed together, for facility of reference, Mr. Markham's papers on this historical problem, which he made, it will be seen, peculiarly his own, I proceed briefly to describe his position. He sees, of course, that if Lord Fairfax is to be justified, it is useless to explain away the execution of Lucas by the theory of condemnation for breach of parole, while leaving the execution of Lisle, as Mr. Bell did, unexplained. He therefore applies the theory to the cases of

[1] Colchester Address (*Arch. Journal*, xxxiv. 119).
[2] *Fortnightly Review*, xxvi. 374 (Sept. 1876).
[3] 'Lord Fairfax at Colchester' (*Fortnightly Review*, xxvi. 374).
[4] *Ibid.* [5] *Essex Standard* (Colchester).

both the knights, though in that of Lisle, neither at the time nor ever afterwards, had a breach of parole been even hinted at. He also sees, as I shall show in detail, the necessity of formulating more precisely the theory, and of assuming a 'trial' before a 'court-martial' for a specific breach of 'martial law.' By the aid of these deliberate assumptions, which I shall prove in due course to be absolutely baseless, he evolves from his own inner consciousness, as if a matter of historic fact, the statement that, after the triumphal entry into Colchester, Fairfax

> returned to his quarters at the Hythe, and a court-martial assembled at the Moot-Hall to try Sir Charles Lucas, Sir George Lisle, Colonel Farre, and the Italian Guasconi; the two first for having broken their parole of honour, Farre as a deserter, and the foreigner for piracy. Farre managed to escape and Guasconi was pardoned. Lucas and Lisle were found guilty, the facts being notorious and incontestable, and they were condemned to be shot.[1]

The third and last of Fairfax's apologists is no less an authority than Mr. E. A. Freeman, who unhesitatingly espoused the new theory in his own address at Colchester, and who presided over the meeting at which the 'very decided views' (as he himself described them) of Mr. Markham evoked, as has been said, 'such strong feeling.'

To Mr. Freeman we may also perhaps ascribe a paper on this subject in the 'Saturday Review,' which appeared immediately after the Colchester meeting, for, from the 'Turk in Bulgaria' to 'the Tor of Glastonbury,' it betrays 'the hand of Esau.'[2]

It was at this point that I took up the controversy myself, and made an exhaustive study of all the contemporary evidence then known. The great bulk of my manuscript stood in the way of its publication, but the latest verdict, I am glad to say, agrees with and fully confirms the conclusions at which I arrived. In the meanwhile, my friend Mr. Firth, to whose marvellous knowledge of the period Professor Gardiner

[1] 'The Siege of Colchester' (*Arch. Journal*, xxxiv. 119).
[2] 'The Siege of Colchester' (*Saturday Review*, Aug. 12, 1876).

in his great work has borne striking testimony, had occasion to investigate the question when editing the Life of the Duchess of Newcastle—Lucas's sister—and he set on record in that edition his own conclusions (pp. 95 96, 368-69). He adopted the view that the knights were shot 'by sentence of a court-martial,' and he maintained that, of the 'two reasons for the execution' given by Fairfax in his apologetic despatch, 'the first evidently refers to the breach of parole with which Fairfax charged Lucas' (p. 369). Now this point, I may explain at once, is of essential importance, for in the five words here referred to the upholders of what I call the new theory have found the sole evidence, or rather possibility of evidence, in their favour. This they could only do by misquoting two out of its five words, and thus altering its meaning;[1] and even Mr. Firth followed suit (p. 96). As he is absolutely incapable of misstating a tittle of evidence, I can only suppose that he followed Mr. Markham, whose work, indeed, he names. Although Mr. Firth has not, I believe, formally retracted this view, he has virtually done so in the admirable lives he has contributed to the 'Dictionary of National Biography,' where the words of Fairfax's despatch are, of course, accurately quoted. I therefore only allude to the matter because both he and Professor Gardiner refer to his earlier dicta on the subject without any warning against the vital error it contains.

From him I pass to Mr. Gardiner himself, the last volume of whose history, published two years ago, treats this thorny subject with that impartiality and care that we have learnt to expect at his hands. In his note on the passage to which I have referred as misquoted from Fairfax's despatch, he wholly ignores the perverted meaning it had been alleged to convey. 'It will be seen,' he writes, 'that no question was raised of the condemned men having violated their parole; they were shot as traitors to the established authority of Parliament' (iii. 462). This at once disposes of the theory that Mr.

[1] '*some* satisfaction *to* military justice,' altered to '*the* satisfaction *of* military justice.'

Markham so stoutly upheld and Mr. Freeman so publicly espoused.

Mr. Firth's Life of Lucas in the 'Dictionary of National Biography' has appeared this year, and in it he tacitly drops the view he had formerly held, and simply follows Mr. Gardiner's verdict. Now it may be urged by both these historians that the newly-discovered Clarke papers have settled the question. I deny that their evidence was needed. The facts as I had worked them out, years before that discovery, were quite sufficient of themselves. But, it may be asked, if the question is settled, what more is there to be said?

Well, I hold that when a question has formed a subject of acute controversy, it ought to be stated with peculiar clearness and decided so emphatically as to leave no room for doubt. I venture, with all deference, to think that even Mr. Gardiner's solution does not fulfil these conditions.

The space at my disposal is quite insufficient for any detailed investigation of the evidence, but I propose to consider these four points, and to make them as clear as possible:

(1) What was the nature of the execution?

(2) Why did it arouse such peculiar indignation?

(3) On what ground was it justified?

(4) Why were Lucas and Lisle the only prisoners shot?

It will be seen that these points are all questions of fact. When we have settled the questions of fact, we can then on surer ground discuss the merits of the case.

Now, as to the *nature* of the execution, the evidence is absolutely conclusive. I shall appeal at once to a contemporary tract, which I place next to the testimony of Fairfax himself. Its title runs:

> A true and exact relation of the taking of Colchester sent in a letter from an Officer of the Army, who was present at the siege in that service, to a member of the House of Commons. *With . . . an account of the cause of giving no quarter to Sir Charles Lucas and Sir George Lisle.*

Nothing could bear more directly on the controversy, and, though written of course from the army standpoint, it is a perfectly frank vindication, and, moreover, strictly contemporary, being published immediately after the execution. It is, therefore, to me astounding that neither Mr. Gardiner nor Mr. Firth should have made use of its evidence. For the present, however, I shall only ask you to bear in mind its title. It blows to pieces the theory of a 'trial' as upheld by Mr. Markham and his friends; the execution was simply a case of 'giving no quarter.'

This conclusion is in exact accordance, not only with Fairfax's despatch, but with the articles of surrender and their appended explanation. Fairfax wrote:—

> I have with the advise of a Councell of Warre of the chief Officers both of the Countrie forces & the Armie caused two of them who were rendred att Mercy to bee shott to Death, *before any of them had Quarter assured them.* The persons pitched upon for this Example were S^r^ Charles Lucas & S^r^ George Lisle, in whose *Militarie* Execuson I hope yo^r^ Lo: yppe will nott finde cause to think yo^r^ Hono^r^ or Justice prejudiced.

As he points out in his 'Short Memorial,' the knights were shot under the clause he had insisted on inserting in the articles of surrender that all superior officers should 'render themselves to the mercy of the Lord Generall,' which mercy, it was fully explained, meant that they should be 'without certaine assurance of *Quarter*, so as the Lord Generall may be free to put some immediately to the sword.' We should observe the care with which, in his despatch, he explains that the execution took place 'before any of them had quarter assured them,' implying that his only right to shoot was under this clause, and would cease as soon as quarter was proclaimed.

I have gone thus carefully into the matter, because Mr. Markham, in his desperate attempt to explain away what he terms the 'unlucky note' by Fairfax in his 'Short Memorial,' ventures on the daring assertion that *a breach of the terms of surrender* 'was the only point that was raised at

the time, and the only one therefore to which the general in his note . . . referred.'[1] It is, he wrote, a significant fact that this, and not the justice or 'injustice of the sentences was the issue raised' . . . 'the friends of the condemned knights thought it safer to raise a false issue than to attempt a discussion of the real point.'

The 'fact' on which such stress is here laid would be indeed 'significant' *if only it were true.* But what do we find to be really the case on turning to the published 'accusations against the general during his own lifetime,' those made, in Mr. Markham's words, 'by the vile crew that did the carrion work at the Restoration.'[2] Neither in the protests of the knights themselves, nor in what Mr. Markham terms the 'truculent falsehood upon their gravestone,'[3] nor in the pages of 'The Loyall Sacrifice'—'spiteful' though Mr. Markham declares it to be—nor in those of the 'True Relation,' nor in those of Clarendon himself, nor even in those of 'Carrion Heath,' is it alleged, or even hinted, that 'the terms of the surrender precluded him from trying any officer of the garrison'! It would, indeed, have been insane to do so, when the articles themselves were so painfully explicit, and when Carter, Fairfax's chief accuser, *had scrupulously inserted them in full!* Nay, he made a point of reminding his readers that the lives of them all were at the general's mercy.

> We then lying at mercy [p. 224] . . . submit they [*i.e.* the gentlemen] must to the Mercy of an Enemy; and it is a general Rule, That the greatest Token of a generous and noble Soul is never more beautifully shewn than in behaving with good Nature and Civility to an Enemy when subjected to Mercy (p. 225).

Mr. Markham's important 'fact' is therefore most emphatically disproved. He has not only ignored the true character of the charge advanced against Fairfax, but has boldly attempted to substitute a charge of his own devising.

I am obliged to insist upon this point, because Mr. Firth invariably points out that the execution was no breach of the

[1] *Fortnightly Review*, p. 377. [2] *Life of Fairfax*, p. 328.
[3] *Fortnightly Review*, p. 382.

terms of capitulation. No one can or does pretend that it was.

I now pass to my *second* point. The charge so loudly brought against Fairfax in the case of Lucas and Lisle was that (not of breaking faith) but of *unnecessary* (or, in the language of the day, '*barbarous*') *cruelty* in causing them to be shot '*in cold blood*.' Of this there is overwhelming proof. 'No wonder,' Mr. Gardiner writes, 'the Royalists looked on the execution of Lucas and Lisle as an act of brutal ruffianism. Both of them, it was alleged, had fought like soldiers, and had done nothing whilst they were in command to make them unworthy of the treatment usually accorded by soldiers to a brave and high-spirited foe.' As Lord Carlingford well expressed it at the Colchester meeting of the Institute, it was 'one of the very few cruel and unnecessary deeds which disgrace our civil wars.'

Now what, to come to my *third* point, was the justification alleged by Fairfax and the army? Observe, in the first place, that they admitted such an action *required* to be justified. Fairfax's despatch is an apology; Fairfax's Memorial is an apology; the letter from an Officer of the Army is an attempt to excuse the act. We learn from these, the best of sources, everything that could possibly be alleged in defence of the execution. Need I say that no apology, no vindication was needed if, as Mr. Markham pretends, the knights were shot for breach of parole, 'and might justly be put to death by sentence of a court-martial whenever taken in arms.'[1] For *that*, as he said, 'is a law, which is observed, and which must be observed.' But what do we find? Sundry excuses are offered for the fact, but neither by Fairfax nor by anyone else is advanced that plea of breach of parole which would have made all excuses needless, and at once, *ex hypothesi*, have justified the act.

In this respect Mr. Gardiner of course follows, as I did, the original authorities. But he selects, as the foremost excuse offered, that a garrison refusing to surrender an

[1] *Life of Fairfax*, p. 330

untenable position had, by the laws of war, forfeited its right to quarter. Often have I read this sentence, and—may I say it with all respect?—wondered what it meant. To judge from Rorke's Drift and from the Residency at Lucknow, the more untenable a position, the greater the glory of holding it. But *was* Colchester 'untenable' when first summoned? The garrison proved the contrary by holding it through that long and marvellous defence. Had it been relieved, as they fully expected, it would never have been taken. Not till Hamilton's defeat destroyed all hope of relief did the position become 'untenable,' and then, so far from refusing to surrender it, the garrison, as Ludlow observes, surrendered at once.

As Edmund Verney truly observed:—

> These gentlemen of Colchester tooke up armes by the Prince of Wales hiss Commission, and entered into parley for surrender of the towne assoone ass the Scotts (which were their expected reliefe) were destroyed, and a councell of warr would have condemn'd them had they surrendred sooner.

This point is most important in view of Mr. Markham's persistent assertion that Lucas and Lisle 'had cruelly prolonged the siege with the selfish object of securing their own personal safety.'[1] There is no fact more absolutely certain than that every week's additional resistance made Fairfax, as was his wont, more exacting in his terms. His demands rose steadily as the siege continued, and Lisle, at least, might have saved his life had the town surrendered at an earlier date. When we remember how these officers, without a thought for themselves, sacrificed all for the cause they had unselfishly embraced, when we listen to Lucas's dying words, 'I am sure I was firm to that course I undertook,' surely our souls are stirred by the wickedness of such a slander as this—a slander in which its author must have known there was not a word of truth, for within a month of repeating it at Colchester he had publicly admitted of the two knights that

> They were gallant soldiers who risked their all without a thought for their own interests.[2]

[1] *Life of Fairfax*, p. 330. [2] *Fortnightly*, p. 381.

Mr. Gardiner, in his footnote to his strange sentence, writes as follows :—

> Rare instances in which Royalists had acted on this principle were quoted, and Lucas was himself charged with having done so at Canon Froome.

What am I to say? Is it possible that my friend Mr. Gardiner has here—if I may venture on so homely an expression —got hold, for once, of the wrong end of the stick? It is true that at the storm of Canon Froome 'some thirty' of the defenders were 'put to the sword,' though they had 'fled to safety and cried out quarter.' But it was not the wicked Royalists who butchered them. No, it was the Royalists themselves who were thus put to the sword when the place was stormed by Calendar and his Scots (July 22, 1645). As for Lucas, how could *he* be present when, at the time, he was commanding at Berkeley, and anxious about his garrison? I may add that, as to Lucas being cruel to prisoners, 'a contemporary account,' says Mr. Firth, of the capture of Cirencester, 'notices his mercy in taking prisoners.' I commend this passage to Mr. Markham's notice.

But the storm of Canon Froome may serve to illustrate the point which Mr. Gardiner, through some confusion of ideas, has failed to apprehend. The whole sting of the charge against Fairfax lies in the words, 'in cold blood.' They were italicised by Morant a century and a half ago; I italicise them again here to-night. To kill a man 'in the heat of action,' as the phrase ran, is one thing; to butcher him 'in cold blood' is quite another.

'The laws of war'—Mr. Gardiner's phrase—have ever been held to entitle conquerors, in certain extreme cases, and in those alone, to refuse quarter to the conquered. Of these cases the most familiar is that of a storm, the threat of a besieger to give no quarter if compelled to storm being a fair premium on a peaceful surrender; and the execution of that threat, after a refusal to surrender has made it necessary to storm, being perhaps justified by the loss thus involved on

the besiegers. Even then it is an act of vengeance which is deemed exceptionally harsh, and is only justifiable, as at the storm of Drogheda, as a means of inducing the remaining garrisons to submit without similarly compelling a storm. Of this there were some notorious examples about this very time in Ireland, and Ludlow mentions, in justification, that at Kilkenny

> the garrison, being admonished by the examples made of their friends at Tredagh and Wexford, thought fit to surrender the town timely.[1]

But the warfare in England had hitherto been conducted on more humane principles than in Ireland, as being a contest between men of the same race and creed, not as a *guerre à outrance*. Yet even under circumstances of the most bitter hostility the plea of 'the laws of war' could not have been raised at Colchester. Mr. Markham himself ingenuously admits that the question here arises, what offence 'had been committed for which military justice demanded satisfaction?'[2] Not only had Fairfax obtained the town without being compelled to storm (or, as he himself expresses it, 'without further bloodshed'), but even if the garrison had compelled him to storm, he had not the plea that their punishment would serve to deter others, for he knew that, with the fall of Colchester, the struggle was virtually at an end.

The charge, therefore, against Fairfax was that he had neither put the knights to the sword in the maddened carnage of a storm, nor allowed them to be tried and executed as traitors to the State, but had butchered them in cold blood after a peaceful surrender. That he bargained beforehand, in the articles, for the privilege of doing so obviously does not lessen the savage cruelty of the deed.

Edmund Verney's comments are here so apposite that they must be quoted *in extenso*:—

> It wass a high tyranny to bring thiss extreame into his power, for ass every gentleman and souldyer iss obliged to a punctuall obser-

[1] *Memoirs*, i. 306. [2] *Fortnightly*, p. 377.

vance of the trust committed to him by defending to hiss utmost all persons, townes, and forts under his command, soe there iss a civill and honourable custome, and soe authenticke that it may not impropperly be called a lawe amongst souldyers, to give noble and honourable conditions to theire enemy though in the greatest straight and necessity.

The 'examples' he gives of such noble conduct 'when the besieged could not hold out an houre' are those of the Prince of Orange, who at Bois-le-Duc, even after he had begun his storm, 'gave the besieged their own conditions' on their asking for terms, 'and thiss after sixe or eight months' siege,' and of Lord Calendar, who, when the Governor of Hartlepool's soldiers 'conspired to deliver him up,' promptly, 'abhorring this treachery, sent in their base engagement to the Governor by a trumpet of his own, and withall hiss name to a blanke sheete of paper, and desired him to write his own conditions.' Fairfax displayed no such nobility towards his gallant but helpless foes,[1] nor did this 'true and spotless knight'[2] feel such abhorrence for treachery as did the rugged Scot. Indeed, on more than one occasion he seems to have offered terms to the soldiers if they would desert their officers, and had to be sternly reminded in consequence 'that it was not Honourable or agreeable to the usage of war' to do so.

A striking contrast to his merciless demand is afforded by the action of the Duke of Newcastle, who, we are told by his wife[3] (Lucas's sister), summoned Howley House to surrender, but in vain, and had to storm it (1643). Only 'some few' of the garrison were killed, the rest being made prisoners, including the governor. The Duke would have refused him quarter in the storm, but when it was over gave him his life, 'saying it was inhuman to kill any man in cold blood.' And yet he was exasperated by having to storm, which Fairfax was not. Such is the point that, I venture to think, Mr. Gardiner has failed to bring out.

[1] 'Ever generous to a defeated foe, Fairfax did not confine his kind offices to the concession of exceptionally honourable terms on the field' [!] (*Life*, p. 401)

[2] *Ibid.*

[3] Ed. Firth, p. 45.

This, then, is why Sir Charles Lucas, as we read in Rushworth and Whitelocke, 'urged it much that the way taken with him was without precedent,' and this is why in his dying speech he recurred to the same point:

Was it ever knowne that a man did suffer in this kind in cold blood by such an order as this? [1]

This is why it was even admitted by the 'Officer of the Army' that this was 'the first example of Justice' (*sic*)—mark that word—'that ever was shewed in this kinde'; [2] why Edmund Verney wrote (September 14) that 'Fayrefax's own party doe soe exclayme against the butchery . . . that it's thought there is an end of proceedings of that kind'; why Clarendon makes it his *gravamen* that

the manner of taking the lives of these worthy men was new and without example, and concluded by most men to be very barbarous;

why Edmund Verney again complains:

We heare their own party cry down thiss act ass so Horrid and barbarous that it is beleev'd they will proceede no further in this bloudy manner;

why Carter complains, with indignant grief: 'This was a new, unheard-of way of condemning men in our nation.' Englishmen, then as now, were devoted to fair play, and that men should be butchered *without trial*, not in the heat and carnage of a storm, but after a peaceful surrender, and in cold blood, that, in short, in the words of the famous epitaph, they should be 'in cold blood barbarously murdered,' was, in Heath's words, 'most highly resented,' and struck the nation with horror as 'a new and terrible thing.' [3]

[1] *The Loyal Sacrifice.*

[2] 'This is the first example of Justice that ever was shewed in this kind (since [*i.e.* during] the first and second war) by the Parliaments party, though it be according to the rule of war (in submitting to mercy)'; an argument which does not profess to justify its cruelty.

[3] Thus it was that the terrified Italians described the practice of the French, in the invasion under Charles VIII., to give no quarter in battle: 'Et jamais nul ne fait prisonnier, ce que par adventure jamais n'advint en bataille . . . Leurs batailles d'Italie n'ont point accoustumé d'estre telles' (*Mémoires de Commines*, viii. 6). See also, on this point, Guicciardini.

We see that even the plea of a storm cannot here be advanced. Nor was it. The victors had to fall back, in vindication, on the gallantry, or, as they termed it, the obstinacy, of the defence. Carter and Clarendon give the same version of the Council of War's decision—namely,

> That after so long and so obstinate a defence it was highly necessary, for the example of others, that some Military Justice [observe those words, 'some Military Justice'] should be executed, and *therefore* that Council had determined they three should be presently shot to death.

Now I ask no one to take this on the uncorroborated evidence of Carter and Clarendon; I ask them to compare it with the words of Fairfax. He employs in his despatch the same phrase, 'some satisfaction to Military Justice'; and he similarly speaks of the two knights as having been 'pitched upon for this example.' Further, when we turn to his 'Short Memorial,' we find him insisting, like the council, on the length and obstinacy of the defence, and worse still, I am sorry to say, grossly exaggerating both in order to eke out his case. Truly that passage, in Mr. Markham's words, is for him an 'unlucky note.'

So again, the 'Officer of the Army' tells us that

> *examples* of Justice were done upon Sir Charles Lucas and Sir George Lyle; the former was conceived (and too true) to be the cause of the ruine of this place, his interest in the Town drawing the army thither. He was the head of all those that did rise in this country.

Bitter as was the writer against the loyalist officers, he did not venture to lay to their charge the least 'stain on their military honour;' their defence of Colchester was the only crime their enemies laid to their charge.

My *fourth* and last point is of great importance. Why were Lucas, Lisle, and Gascoyne 'pitched upon,' to quote Fairfax, for 'military execution'? Well, I am tempted first to read to you the delightfully confident explanation, given by Mr. Markham's staunch ally at the Colchester meeting:—

> Unless Fairfax and his court-martial are to be set down as a strange mixture of knaves and fools, they must have had some special

reason for picking out these two, and these two only, to suffer the utmost rigour of the terms of surrender . . . and the fact that the two knights had given their parole, while the two peers had not, is the only difference which can be seen between the two cases.

Such is history 'as she is written' by—Mr. Freeman. Unfortunately for him and Mr. Markham, Fairfax himself had carefully explained that 'the only difference . . . between the two cases' was (*not* the distinction of which Mr. Freeman was so confident but) the difference of social status! In his 'Short Memorial' he asserted that he had declined to execute the Peers,

being considerable for Estates and Familys; but Sir Charles Lucas and Sir George Lisle,[1] *being mere Souldiers of Fortune*, and fallinge into our Hand by chance of Warr, Execution was done on them: And (in this Distribution of Justice) I did nothinge but accordinge to my comission and the Trust reposed in mee.

Since I wrote my monograph, the Clarke papers have been discovered, and, as quoted by Mr. Gardiner, they confirm with startling force my own contention. Fairfax, we read,

urged that it would be more fitting to leave peers to be proceeded upon by the power of *civil* justice, and that the other persons being more near to the condition of soldiers of fortune, and less eminent, should be set apart for the *military* execution.

Mr. Gardiner does not refer to the passage in the 'Short Memorial,' but you see that the two confirm each other with marvellous exactness.

There rise to our ears the words of Ludlow describing his similar predicament, after the surrender of Gourtenshegore:—

I called a Council of War; and being pressed by the Officers that some of the Principal might be punished with Death for their obstinacy, I consented to their demand.[2]

[1] Observe that here again Fairfax confines himself to those who were actually put to death.

[2] *Memoirs*, i. 354. Ludlow, though famous for having deliberately smoked a body of Irish to death in a cavern (*Ib.* pp. 422–24), had been moved by the cries of this garrison, as he was burning them out:—'they hung out a white flag

The parallel must, in truth, have been a striking one. Fairfax had similarly 'called a Council of War,' and 'being pressed by the officers,' headed by Ireton,[1] 'that some of the Principal might be punished with Death for their obstinacy' —mark the recurrence of that very word—saw the danger of consenting to that demand, saw also the danger of refusing it, and decided to do neither the one nor the other, but to take refuge in an ingenious compromise, or, as he terms it, 'distribution of Justice.'[2] The three Peers, said this military Solomon, 'being considerable for Estates and Familys,' must be handed over to 'the *Civil* Judicature,' and to the tender Mercies of '*Civil* Justice,' but 'for some satisfaction to *Military* Justice,' he consented to the demand for '*Military* Execution'[3] in the case of the three commoners.

The saints, like hounds, had to be blooded, and Fairfax felt that he could not throw them less than a couple of knights. For this purpose he 'pitched upon,' as he expresses it, Lucas and Lisle, as the leading defenders of Colchester after the peers.

This so-called 'Distribution of Justice' explains and confirms Lord Capel's protest,

that as they were equally concerned, and acted alike in the Engagement and Management of the whole Affair, they should [that is, they ought to] have shared one Fate (*Carter*).

b:gging earnestly for mercy and that we would take away the fire' (*Ib.* pp. 353–354).

[1] That Ireton was foremost, throughout, in the demand for 'Justice' on the Loyalists is virtually beyond question. Mr. Markham treats with scorn 'Clarendon's suggestion that the Colchester executions were due to the influence of Ireton' (*Life*, p. 360); but how strong and widespread was this belief at the time is strikingly evidenced by Evelyn's version that Lucas and Lisle were 'murdered by Ireton (*sic*) in cold blood' (*Diary*, July 8, 1656).

[2] This important expression is wholly omitted from that 'garbled version' which Mr. Markham quotes.

[3] Fairfax's Despatch (*Rushworth*, p. 1243). I have called attention, by the insertion of a '(*sic*),' to the peculiar use of the term 'Justice' which at this time prevailed. In the mouth of the Army it was, as I have shown, the synonym of 'punishment' or 'vengeance.' Steel, in his argument against the Duke of Hamilton (when on his trial with Capel, &c.), distinguishes between 'military' and 'civil justice': 'No security from the stroke of *civil justice* belongs to the prisoner by this refuge; for as to the *military*, that is not the contention.'

We have it, then, here actually established that, at the time of the execution of the two knights, it was neither alleged by their enemies nor suspected by their friends that they had committed any breach of martial law, which could separate their cases from those of their brother leaders. Now Mr. Markham has ultroneously recorded his opinion that the execution of Lord Capel was 'a judicial murder.' [1] But it was clearly, as we have seen, recognised by Fairfax, and also admitted by Capel himself, that the slaughtered knights and he were in precisely the same position. Consequently, if the execution of Lord Capel — who had the advantage of a solemn and formal trial, and whose sentence, pronounced by the High Court of Justice, was discussed and ratified in Parliament—was indeed, 'a judicial murder,' it follows that the execution of Lucas and Lisle—who were 'put immediately to the sword,' *for the same offence*, without trial, and in cold blood—was emphatically 'a barbarous murder.' Thus the statement, in the inscription on their tombstone, that they were 'IN COLD BLOOD BARBAROUSLY MURDERED,' though declared by Mr. Markham to be 'a truculent falsehood,' [2] is, on his own showing, irrefragably true! [3]

The other testimony I call to the truth of the famous epitaph is that of Mr. Freeman himself, who rashly admitted

[1] 'His execution was cruel and unnecessary, and, in my opinion, that majority was guilty of judicial murder' (*Arch. Journ.* xxxiv. 119).

[2] *Fortnightly*, p. 382.

[3] The expression 'barbarously murdered' was in frequent use at the time. It was applied, for instance, to the execution of Lord Capel, both in his epitaph and his widow's petition to the Crown; and to that of Charles I. in Walker's *Historical Discourses*, &c. It would be, obviously, even more applicable in such a case as that of Lucas and Lisle. The Loyalist narrative of the siege of Colchester, found among the Duke of Beaufort's MSS., speaks of Lucas having 'now received the reward of his Christian charitie, whilst his *barbarous murderers* are persecuted with their own guilt.'

Lucas's sister, the Duchess of Newcastle, describes the knight as 'inhumanly murdered and shot to death.' Mr. Firth takes exception to the term 'murdered.' But if he will refer to the preamble of the Act for constituting the High Court of Justice a few months later, he will find that those who had fallen in the Civil War are formally described as 'murdered,' while the sentence on Charles I. describes him as a 'murderer' (iii. 581, 582). The term, therefore, was correct at the time.

that if the *peers* 'had been shot . . . it might have been in itself a barbarous murder.' But as Fairfax assures us that the distinction in their treatment was due *not* to any difference in their offence, but merely to the difference in their social status, it follows that if, by Mr. Freeman's admission, the shooting of the peers might have been 'a barbarous murder,' the shooting of the knights *for no different offence* may similarly be regarded as 'a barbarous murder.'

I have endeavoured to establish as briefly as possible these points:

First, that there was no court-martial, no 'trial,' no 'finding,' but simply a putting to the sword in accordance with the articles of surrender.

Second, that the charge brought against Fairfax was that of barbarous cruelty in shooting defenceless men in cold blood.

Third, that the only vindication offered by himself and his friends was the activity of their victims and the prolonged gallantry of the defence.

Fourth, that Lucas, Lisle, and Gascoyne were eventually 'pitched upon' for execution because Fairfax hesitated to put peers to the sword, and these knights were the chief leaders after the peers. I should add that Fairfax was thoroughly consistent in selecting leaders as such for the extreme penalty, having proclaimed, at the very outset of the campaign, in his Blackheath manifesto (May 30) that 'Justice' would be done on 'such only as shall appear to have been the chief and most eminent actors and fomenters thereof, and that chiefly for example to others and necessary reparations for the Damages,' &c., &c.

So much for the matters of fact. Questions of opinion would lead us into a far wider field, but there are one or two points upon which we may arrive at an agreement. It has always been held, since the days of Clarendon, that Ireton was largely responsible for this cruel act of vengeance. Mr. Markham, however, the champion of Fairfax, hotly rejects

the suggestion (p. 360), maintaining that 'Lord Fairfax is well able to bear the responsibility of his own acts, nor would he suffer anyone to induce him to act otherwise than as his conscience prompted.' But this view cannot stand.

Fairfax, as we know, eventually insisted on the whole of the officers 'surrendering to mercy.' It is at first sight difficult to understand why he should have insisted on such extensive powers if it was his intention only to select a mere handful for actual 'exception.' In the companion siege—that of Pembroke—Cromwell stipulated by name for the 'exception' of those he had made 'election of' for punishment. Why did not Fairfax do the same? The irresistible inference to be drawn from the contrast is that the general and his council had been unable to agree as to whom, or how many, they should make 'election of.' Consequently, their decision on that point was deferred till after the surrender. Carter explains the rigour of the terms as due to the fact that

> Fairfax (*at the instigation of his Council of War*) was fallen from these conditions which formerly he had offered.

We may fairly give Fairfax the benefit of the doubt, and believe that, as Carter here asserts, his hand was really being forced by the violent faction in his council. In that case, he may have decided to pacify them for the time by reserving to himself the power of wholesale butchery,[1] while for his own part intending, as indeed he himself assures us, 'chiefly, and for the Generality of those under that Condition, to surrender them to the Mercy of the Parliament in General.'[2]

The existence of this extreme or Cromwellian faction among the officers of the besieging army is a most important fact. Fairfax, though nominally general, found himself in a falser position than ever, the inevitable result of his perverse obstinacy and wilful blindness to the signs of the times.[3]

[1] 'So as the Lord General may be free *to put some immediately to the sword*' (*Rushworth*, p. 1247).

[2] *Ibid.* This phrase is believed to be corrupt.

[3] Hallam observes of him, with good-natured contempt, that in Charles I. he 'had for once found a man less discerning of the times than himself.'

While the Army Party used him as a moderate and aristocratic figure-head, every one of his chief officers—practically the whole of his council of war—was unquestionably committed to views and to schemes of which he professed the utmost abhorrence. No wonder we find him bitterly complaining that

> the arbitrary and unlimited Power of this new Councell would act without a Generall, and all that I could doe, could not preuaile against this streame. . . . I must needs say, from the time they declared their Usurped Authority at Triplow Heath, I neuer gave my free Consent to any Thinge they did. . . . And into such Failings all Authoritys may fall. . . . Soe here hath a General's Power bene broke.[1]

The fact of this dissension between the general and his council was an open secret at the time. Ludlow has recorded for us that he went down to the leaguer on purpose to impress upon Fairfax the necessity of decisive measures, and that, mistrusting his resolution, he had recourse to Ireton, as the recognised head of that faction in the camp which represented the now dominant 'Army Party.'

I have my own idea as to the objects of this extreme faction in urging upon Fairfax that deed of blood. But apart from intrigue we have to do with men who, like a heathen priesthood, had tortured themselves into the stern belief that the blood of their fellow saints was calling to Heaven for vengeance, and that they themselves were guilty in the sight of God till they had avenged it on their enemies. Only so, in their own phrase, could they 'be at peace with God.' This was Hebraism run mad. It was well reproved in the words of that worthy chaplain, Sprigge :—

> Indeed the state of Israel fought by such laws against the nations, as in the case of Agag ; but how far such laws are rules to the state of Christians, who are not under that judicial policy and special precepts, I leave to be disputed . . . surely justice is not all of one colour, all purple ; there is punishment by banishment and confiscation as well as death.

[1] 'Short Memorials' (*Antiq. Rep.* iii. 4, 9).

One is reminded of David Leslie's words, when one of these mad fanatics had insisted on his slaying the Amalekites, in other words butchering his prisoners in cold blood. 'Now, Mr. John,' said the warrior to the reverend man of God, 'have you not once gotten your fill of blood?'

In the loud cry for 'military Justice,' I also see, though Mr. Gardiner does not, the fear of the army that the Parliament's justice would be all too mild and gentle. That apprehension proved correct, when the House decided as to the three peers that they need only be banished (November 18, 1648).

Lastly, let us briefly glance at the conduct of Fairfax himself. Instantly, two pictures rise vividly before us, two famous historic scenes standing out from the darkness in lurid light. In the one, Fairfax, the merciless conqueror, is sending to their death, in cold blood, men whose only offence it was that they had striven to set free their captive king. In the other, Fairfax, on the side of the king, when now, in its turn, the winning side, foremost in restoring the Stuart to his throne, and thereby securing his own safety by 'a full pardon under the Great Seal.'[1]

In the one, the ill-fated Lucas and Lisle, in the spirit of Christian gentlemen, are meeting death, in Whitelocke's words, 'with very much courage.' In the other, Fairfax, having performed himself what he shot them for attempting to perform, presents in his adulation the restored monarch with a steed, which he effusively exhorts to please his 'royal rider.' But he who, when he shot the gallant knights, desired that God might 'have the glory of his multiplyed mercies,' has now dropped the cant, and has taken to doggerel. Those unlucky verses are a sad trial to his friends. Only a folly of his 'old age,' pleads his champion, Mr. Bell. His age was forty-eight.

There they are, those two pictures, by no human ingenuity to be evaded or blotted out. What are the reflections they suggest?

[1] *Life of Fairfax*, p. 384.

Firstly, that Lucas and Lisle were defending *the existing constitution*—a monarchy. They were fighting, at least, for monarchy and a king, in a land which was still a monarchy and which had a crowned king. Fairfax, when he rose 'with a view to the Restoration' (p. 375) was attempting to overthrow *the existing constitution*—a commonwealth—to which, further, he had pledged his fidelity.[1] 'He restored the Monarchy,' Mr. Markham admits (p. 385), to a land which was then 'a Republic,' and had no crowned king. If theirs was an 'insurrection' so was his, but, constitutionally, of a far more flagrant character.

What is treason? What is insurrection? We all know the epigram as to successful treason, and with equal truth we may apply it to insurrection. Had Fairfax been unsuccessful, his would have been an 'insurrection,' and, conversely, if the Loyalists had won, as they ought to have done ('The danger was extreme,' Mr Markham admits; their opponents were in dread of 'imminent ruin,' Mr. Firth has lately reminded us), then Lucas and Lisle would not have been 'insurgents,' nor as 'ringleaders of the insurrection' proceeded against as 'traitors.'

Well may Mr. Gardiner speak of the 'elastic charge of treason.' Lucas was not a traitor to him 'who, in the eye of the law,' Mr. Gardiner admits, 'was still his sovereign' (p. 292); 'I am no traitor,' he proudly retorted, when his foes took refuge in that charge, 'but a true subject to my king and the laws of this kingdom.'[2] He was not even a traitor to

[1] Mr. Markham, indeed, writes: 'Lord Fairfax accepted a seat in the Council of State; but he firmly refused to sign a declaration which was presented to the Councillors on taking office, by which they would have been made to express approbation of the abolition of kingship and of the House of Lords' (*Life*, p 354). It will probably be sufficient to quote the Resolution of the House of Commons, 20 Feb. 1649–50, reciting that Fairfax had 'taken and subscribed the Engagement appointed for the Members of the Council of State, viz.':—

'I do testify that I do adhere to . . . the settling of the Government of this Nation for the future, in the way of a Republic, without King or House of Peers: And I do promise, in the sight of God, that through his Grace, I will be faithful in performance of the trust committed to me as aforesaid' (*Commons Journals*, vol. vi.).

[2] *Dictionary of National Biography*, xxxiv. 230.

that Parliament which the army, we are told, had reduced to 'impotence' (p. 132) and of which the name had been usurped by a minority resting on the sword. He was a traitor to nothing but the usurpation of the army.

But the contrast suggests yet another thought. It will occur to most right-minded people that it would, to say the least of it, have been more decent if Fairfax, who had sent the knights to their death, had taken a less prominent part in doing what they had attempted to do—in restoring the king to his own again by force of arms—or, at any rate, had been less effusive in his welcome of 'the second Charles.'[1]

No denunciations of 'hireling slanderers' (p. 399) or of 'the vile crew' of critics (p. 328) can obscure these grave facts. Intolerable though it may appear to Mr. Markham, in his blind adoration of this 'spotless knight' (pp. 399, 401, &c.), the thoughtful and impartial student of those times is more than justified on the above grounds in withholding from the shuffling and shifty Fairfax that respect which he gladly pays to the dauntless martyrs of a cause—to the republicanism of a Corbet or a Vane, as to the loyalty of a Lucas or a Lisle.

[1] Only some weeks before his actual rising in arms, and when he had been resolved for some time to act 'with a view to the restoration' (*Life*, p. 375), he gave an illustration of his 'perfect consistency and good faith' (*Ib.* p. 385), by swearing in officers to be 'true faithfull and constant to this Commonwealth without a single person, Kingshipp, or House of Peers'; while on the very day when, according to Mr. Markham, he 'secured the restoration of the monarchy' (p. 382), this 'heroic' man wrote to the Rump: 'We desire you to be assured that what hath been done was only in order to your service.'

THE PRINCIPAL CAUSES OF THE RENEWAL OF THE WAR BETWEEN ENGLAND AND FRANCE IN 1803

By WALDEMAR EKEDAHL

THE political development that our part of the world has undergone in later times, and the result of which is the modern European political system, is characterised principally by two circumstances. On the one hand, the nations feel themselves more and more real unities; they do not suffer themselves to be divided, or sold, or exchanged, as easily as before. The idea of nationality has forced its way strongly, and has demanded recognition with great persistency. This demand of the different nations for national independence, more clearly understood and more and more consciously realised in the process of time, need not, however, bring with it an isolation of the peoples from each other. For just as little as the individual without danger to the development of his life can shut himself out from communication with others, so such a thing is as little possible for nations. Besides the tendency now alluded to, and quite as strong, there is another whose aim is to join the nations with each other, and which makes itself felt in livelier intercommunication and a more intimate culture-connection between the peoples. No really important event in the life of one nation can come to pass without having a certain influence on that of the others. 'There is,' says Ranke, 'no country's history in which universal history does not play a great part.' This is of course especially applicable to the great events which have made historical eras.

The history of Europe in modern times can show two such events far surpassing all others in importance—the Reformation and the Revolution. They belong to universal history, but they belong no less to the history of every separate country. For in all the countries of Central and Western Europe, even in those where Catholicism finally predominated, the Reformation has had as important, or at least nearly as important, effects as in Germany, the mother country of the Reformation. And the case is nearly the same as regards the French Revolution. The results arrived at are felt at the present time not only in France, but also in most other countries of Europe, in many of them in like degree as in France. It is this fact which gives so great an importance to these two events, especially the French Revolution, as it is nearest to our own time, and makes the study of every separate feature of its history so highly interesting.

It was to be expected that the governments of Europe would join together in order to resist the French Revolution; for it showed a strong tendency to make itself despotic, not only over the mind and ideas of their subjects, but also over their territories. But in order that the coalition of the great powers of Europe should attain its object, it was necessary for the allies to sink their separate interests. Just the contrary happened. Among the motives which actuated the Cabinet of Berlin as well as that of Vienna none was more clearly understood or more consistently carried out than a mutual distrust. Austria feared that Prussia would take advantage of an eventual victory, and would strengthen her influence in Germany at the expense of the Empire; and Prussia had the same fear with regard to Austria. The first coalition against France exhibited the spectacle of an alliance where each of the allies feared the victory of the other nearly as much as that of the enemy; and behind the great powers of Germany stood the Empress Catherine, eagerly exhorting them both to fight against revolutionary ideas, but without taking the slightest part in the struggle herself. Both Austria and Prussia well understood what she was really aiming at.

She wished to see them engaged in another quarter so that she herself might get an opportunity of arranging things at her own pleasure in Poland: there she could employ her armies and her money to greater advantage than by defending the monarchy in France. Therefore Prussia and Austria were obliged to keep the greater part of their forces on the frontier of Poland to keep an eye on Russia and on each other. These circumstances principally account for the fact that France, although shaken and divided in herself, could still be victorious in the war; while her enemies, on the contrary, won neither *honour*, which they pretended to seek—for the aim of the war was the restoration of the monarchy and of law and order in France—nor *gain*, which in reality they sought. So the first coalition came to an end.

In a short time a new coalition was formed by the great powers of Europe against France; and the result was about the same as before. It is true the war was carried on this time from the first with more spirit and skill; but all Suvurow's generalship could not compensate for the want of unity and true co-operation between the two imperial courts. The victories were productive of no results, and the dissensions of the Cabinets caused first the breaking up of the coalition and afterwards the defeat and humiliation of Austria.

Of all the powers that took part in the first two wars of the Revolution, England was the one that held out longest in the struggle. But when the Treaty of Luneville (February 1801) restored peace on the continent of Europe there was also manifest, both in France and England, a decided wish to put an end to the war. Peace was wanted after the long years of strife. And to what would a further continuation of the war serve? England's superior naval power, already great before the war, had during its progress been still further strengthened, and France was not able to cope with it. Just as little could England infringe on the continental power of France, which had been won at Marengo and Hohenlinden, and which had been acknowledged at Luneville. But because the spheres of power of the two adversaries were so

essentially different, because neither of them could overcome the other and dictate conditions, great difficulties were encountered in bringing the negotiations for peace to a happy result. It was no easy task to agree respecting the many questions which were made the subject of the negotiations, and in which the interests of the two powers were often diametrically opposed. For a real peace to be concluded in spite of this, France and England must be thoroughly tired of the war; nay, so strong was public opinion against its further continuance that many important points about which they could not agree were obliged to be left undecided in the treaty of peace. Respecting others an agreement could only be come to by making a number of provisions, difficult to carry out even with the very best will, and which, therefore, were liable to give an occasion for fresh complications in the coming time. This was especially the case with the clauses concerning Malta. The consequence of this method of procedure was that new causes of difference continually arose, and in order that peace should be lasting it was needful that the sympathies both of the governments and of the peoples should be the same as they were at the time of the Treaty of Amiens. But this was not the case. On the contrary, it was not many months before the public mind respecting this question underwent very considerable change on both sides of the Channel—more, however, on the English side than on the French.

Of her many conquests England had kept only Ceylon and Trinidad by the provisions of the peace; all the rest were to be restored to France, Spain, or Holland. What it was especially bitter for England to give up was the Cape of Good Hope, the important station on the road to India, and the island of Malta, of so much consequence to England for maintaining her supremacy in the Mediterranean. But in spite of this, England's greatest statesman could profess that 'he considered the treaty very advantageous and, on the whole, satisfactory.'[1] And when the question of an

[1] Stanhope, *Life of Pitt*, iii. 352. London, 1852.

address to the King to express the approval of the treaty by Parliament came before the two Houses the war party was in a decided minority. Among the peers Lord Grenville could only muster ten votes against 114, and in the House of Commons Mr. Windham did not even venture to come to a division.[1] But while the greater majority of Englishmen thus joined with Pitt in considering the peace as 'very advantageous,' they relied on suppositions which were not to be fulfilled.

Above everything, great advantages had been expected in respect of commerce. England, whose territories had not been touched by the war, had seen her trade, already very flourishing, continually improve, while that of the continental countries had gone backwards. The cost of producing English manufactured goods was steadily falling. Under such circumstances the one thing to be done was to open up the continental markets to English manufactures, and this the peace would do. In what manner the peace really did this has lately been strikingly shown by Mr. Rose in his treatise on 'Napoleon and English Commerce.'[2] Napoleon wished to encourage and protect French trade; but to make this possible he was obliged to go to such an extent with his preventive measures that France remained shut to the English market nearly as completely as during the war. And the same system was applied to all those countries that were dependent on France. For in order that the trade of France might revive it was necessary to make it possible to export its produce to countries where it enjoyed the same protection as at home, since it was not at all prepared to engage in a free competition with England. 'A prohibition,' says a French historian, writing on these measures,[3] 'imposed to such a degree, had the character of a real blockade against England, and its object was to make her perish of want in the midst of her riches.'

[1] Stanhope, *Life of Pitt*, iii. 360.
[2] In the *English Historical Review*, October 1893.
[3] Lanfrey, *Histoire de Napoléon Ier*, ii. 454. Paris, 1870.

But it was not only by these negative measures, not only by trying to obstruct and suppress in the first place the trade of England, and indirectly the industry of England, that Napoleon wished to attain the end he had nearest in view, the power and predominance of France even in those regions where hitherto England had indisputably held the first place. The system had its positive side as well. This consisted in measures for increasing the colonial power of France and her tributary states, their navies, and their mercantile connections.

The colonial power of France had been almost completely annihilated during the first two wars of the Revolution. The negroes of Hayti had risen against their masters, who had not been able to subdue them, and the island was now in a state of anarchy. The remaining French colonies had been taken by the English. On the conclusion of peace they were all restored, and immediately after signing the preliminaries of peace Napoleon sent a strong expedition to Hayti to recover for France the 'pearl of the Antilles.' By these measures the colonial power of France would again be the same as before the war; nay, it would even be increased. By a treaty concluded between France and Portugal at Madrid in the autumn of 1801 Portugal was to cede so large a part of Brazil that the French possessions in Guiana would command the country round the mouth of the Amazon. Then Napoleon, about the same time granting Tuscany, which had been taken from her Austrian grand duke, to the Spanish Infante, who up till now had reigned in Parma, got in exchange, not only Parma, but also Louisiana, which at that time comprised a much more extensive territory than in our days. Again, the power in the West Indian colonies that France in possession of Louisiana, Hayti, and Guiana undoubtedly would acquire would be still more strengthened by her influence over the other colonies of Central and South America, of which France was assured on account of the weakness which made any decided action of Spain and Portugal against France impossible in any question whatsoever.

As regards the colonies in South Asia, it appeared as if the ascendency of England there was quite clear, after the victories over the Sultan of Mysore and the cession of Ceylon by Holland had strengthened the power of the East India Company. But even in this field wary English statesmen could see cause for apprehension. As we have already seen, England on the conclusion of peace had given back the Cape Colony to the Batavian Republic; which implied that this important station on the road to India came under indirect, but still no less powerful, French influence. But the greatest danger seemed to be that Napoleon might possibly make himself once more master of Egypt. While the war was still going on, and while the French army that had been left in Egypt still kept its ground against the English, Napoleon had been especially eager to relieve it, and thus keep a firm footing in that country. It was exclusively for this purpose that at the conclusion of peace with Naples at Florence he made it a condition to occupy the harbours of the kingdom and to receive from the Neapolitan Government a certain sum to maintain an army corps stationed there. It was intended to support the Egyptian army. Many attempts to do this were made, but were unsuccessful on account of the strong position of the English navy in the Mediterranean, supported by Gibraltar, Port Mahon, Elba, and especially Malta. The treaty stipulated that the three last-mentioned places should be evacuated by the English—which was done directly after the peace so far as Elba and Minorca were concerned. But if England, according to the treaty, delivered up Malta as well, she had no real security that France at any moment might not again take possession of Egypt. For it was clear that if the English fleet should have a point so distant as Gibraltar for the base of its operations, it could not exercise so active a control over what was taking place in the eastern part of the Mediterranean as would be the case if it had the more central station of Malta to fall back upon. Napoleon said concerning this: 'Malta dominates the Mediterranean; and I do not wish them to have two Gibraltars in this

sea, one at the entrance and one in the middle.'[1] That Napoleon really intended undertaking a new expedition against Egypt, English statesmen felt almost certain. The English Ambassador in Paris wrote on November 22, 1802, to his government: 'The First Consul's views extend to no less than the second conquest of Egypt.'[2] And a few days afterwards: 'It is evident that the acquisition of Egypt is the object which the First Consul has most at heart, and that to which our utmost attention should be directed. . . . The efforts that are made to gain the court of Russia, whose co-operation will be indispensably necessary to obtain the acquisition of the Porte, the great attention paid to the wants of the army of Egypt (a name which it has always preserved, and certainly not without design), the manner in which the artillery of the army of Italy has been disposed of, and which Mr. Merry has mentioned to your lordship, and the language held by the generals who have already been employed on that service, form altogether such a mass of evidence as place the intentions beyond a doubt. Indeed, there is the greatest reason to believe that some immediate operation is at this moment in contemplation, and I should not be surprised to learn that, as soon as our troops have evacuated Alexandria, a part of the Egyptian army were again conveyed into that country, with the connivance, or perhaps consent, of the Turks, and professedly for the purpose of re-establishing their authority.'[3] The ambassador therefore advised his government to let the Mediterranean fleet observe the strictest watchfulness, and that too as regarded the ports of the Adriatic Sea, especially Ancona.

In connection with this England could recollect how Napoleon in his Egyptian expedition of 1798 had been commissioned, among other things, to have the Isthmus of Suez cut through. Then the plan could not be realised, but

[1] Thiers, *Histoire du Consulat et de l'Empire*, i. 587.
[2] Browning, *England and Napoleon in* 1803, p. 15.
[3] *Ibid.* p. 16.

it might be taken up again; and if it were carried out, if a new and shorter route to India were opened, then England's advances and aggrandisement in India would be of very little worth, as France would command both roads thither.

A second feature in the First Consul's governmental operations, and closely connected with what has been above described, was his care of his navy. Napoleon regarded this as one of his most important tasks, and also one of the most difficult. He calculated he should need ten years to put the fleet in order, supposing France to enjoy peace for so long a time. 'To try to attain this end in less than ten years,' he says in a letter to the Minister of Marine,[1] 'were a chimera, and would cause us expenses great enough to compromise our position on the continent without, however, giving us any surety of gaining an ascendency on the sea.' And assuredly it was a difficult undertaking, for at the end of the war the naval power of France was extremely reduced. At the commencement of the struggle Great Britain had not quite double as many ships of the line and frigates as France; at the conclusion she had more than six times as many; and the qualitative difference was, if possible, still greater than the quantitative. With these facts before their eyes one might certainly feel inclined to acknowledge that Lord Hawkesbury was right when he said, speaking in the House of Commons, that 'the British might allow him (Bonaparte) many years' labour, and then be willing to chance a maritime war.'[2] However England did not feel quite assured of this, remembering the creative and organising power of Napoleon, and also the energy with which he applied himself to the undertaking. Instead of reducing the expenses of the navy after the peace, he increased the Marine Budget by no less than 25,000,000 francs. He made contracts for the purchase of timber from Etruria, Sicily, and South Russia; he arranged with the Turkish Government for building French men-of-

[1] *Correspondance de Napoléon Ier*, vii. 502.

[2] Mahan, *The Influence of Sea Power upon the French Revolution and Empire*, ii. 73.

war in Turkish ports,[1] and was at least negotiating with Naples for the same purpose. Moreover he admonished Spain, Naples, and the Batavian Republic to keep up and increase their navies. The minister of the Ligurian Republic got to know that, although the French Republic had hitherto opposed the organisation of a Genoese navy, it was now the first to urge on such a measure.[2] One thing that was quite certain was, therefore, this, that Napoleon, availing himself of the resources of France, Spain, Holland, and Italy, would with every year of peace strengthen his navy more and more.

Immediately after the conclusion of peace Napoleon began to take measures for restoring the trade of France; above everything then he had his eye fixed on the Levant. He exerted himself to the utmost in Turkey as well as in Russia to promote the trade of France on the shores of the Black Sea. A commercial treaty was concluded with Turkey which gave to France greater privileges as to the trade on the Black Sea than any other country enjoyed, with the sole exception of Russia.[3] And when General (afterwards Marshal) Brune went as ambassador to the Sultan he was commissioned before everything to have his attention directed to the conditions of trade. 'The Ottoman Empire,' so ran his instructions, 'has no further interest for us than what concerns its commerce.[4]' The ambassador at St. Petersburg (General Hédouville) was to study the means for developing the trade of France in Russia; he should try, at the same time, to limit as much as possible that of England; which could best be done by leading the commerce of Russia from the Baltic to the Black Sea. In France everything was done to win the goodwill of Russia and her government. It is curious to read in the present day the following extract from a despatch of December 1802 from the English Ambassador in Paris: 'Amongst the most striking features of the present policy of this government is its extreme

[1] Thyrén, *Världsfreden under Napoleon*, pp. 56, 57.
[2] *Correspondance de Napoléon Ier*, viii. 202.
[3] Thyrén, p. 55.
[4] *Correspondance de Napoléon Ier*, vii. 90.

solicitude to conciliate the court of Russia. The public prints are filled with the grossest flattery, the loyalty and the integrity of the Russian character are perpetual subjects of admiration, and the Russian language is recommended as the most important and interesting study to Frenchmen. The greatest stress is laid upon the advantages which must accrue to both countries from the strictest relation of politics and commerce; in short, every effort is made to gain the court of St. Petersburg.'[1] Many consuls and agents were sent to South Russia and Turkey, and mercantile houses were established there.

If we now sum up what has been said of the colonial and commercial plans of France and place it in relation to the possibility of a fresh outbreak of war, we find that France had every reason to wish for peace, England to fear it. During a state of peace the French colonies could be developed and increased; if a war broke out undoubtedly they would all without exception fall into the hands of the English. During a peace the trade of France would gradually revive; a breaking out of war would necessarily make it impossible for a single French ship to show itself on the seas. 'Peace is necessary,' said Napoleon, 'to restore the navy—peace to fill our arsenals, empty of material, and peace because then only the one drill-ground for fleets, the sea, is open.'[2] Napoleon also really wished for peace; this appears from many expressions in his correspondence; as, for instance, writing once to his Minister of Marine: 'If *unhappily* the peace were not lasting.'[3] And still later on, in March 1803, the Ambassador of the United States in Paris, who was certainly an impartial observer, could report to the government at Washington: 'Here there is an earnest and sincere desire to avoid war, as well in the government as the people.'[4]

On the other hand, a renewal of hostilities would be almost exclusively advantageous to England besides what has

[1] *England and Napoleon in* 1803, p. 33.
[2] Mahan, *The Influence of Sea Power &c.* ii. 107.
[3] *Correspondance de Napoléon Ier*, vii. 502.
[4] Mahan, *The Influence of Sea Power &c.* ii. 95.

already been said of the ascendency she would acquire over all the colonies of all the powers. Her sphere of commerce in Europe would not be limited, for France and her tributary states had already during the peace, as we have seen, been closed to England; while, on the other hand, the trade with those countries which were not altogether dependent on France would be almost exclusively carried on by English merchants, as a war would, it is clear, make it impossible for either France or Holland to enter into any kind of competition with them.

On account of these circumstances the enthusiasm with which the people of England had at first welcomed the peace soon cooled, and they began to subject its results to a severe criticism, the result of which was that the supposed benefits of the peace were found to be to a great measure illusory. Owing to this the public mind in England became more and more incensed against France, and it began to be a pretty general conviction that it would be best to renew the war. But what mainly tended to this change was the dissatisfaction felt in England at the manner in which the great political questions in Europe at this time were treated and settled: the course of events was decided from Paris without paying the least regard to the opinions of the Cabinet in London, and if at any time the latter tried to interfere—as was the case, for instance, with Swiss affairs—the result to England was only mortification. The independence of the Batavian Republic had several times been formally acknowledged, and it had been enacted that its territory should be evacuated by the French troops as soon as there was a general peace in Europe. Provided that this provision were fulfilled, that the government of the Batavian Republic should be independent and not subject to any foreign control, England had agreed by the Treaty of Amiens to restore to it several important colonies, among others the Cape. When the greater part of the troops stationed in Holland were sent to Hayti to fight against the rebellious negroes, it was believed in this case to be Napoleon's intention to keep his promise.

But in place of the troops which had been sent to the West Indies came others immediately afterwards, and the new troops were even more numerous than the old.[1] That the map of Germany was calmly altered according to Bonaparte's directions; that Swiss deputies came to Paris to receive a constitution from the hands of Bonaparte, which was to put an end to the many differences that had before been rife in the Helvetian Republic; that Wallis was separated from it in order, as it was said, to form an independent republic, but in reality only to make France so much the more absolute master over the most important passes to Italy;[2] that Piedmont and Parma were wholly incorporated with France; that the independence of the Italian Republic, now that Bonaparte had caused himself to be elected its president, was, if possible, even more illusory than before; that the Ligurian Republic, as was the case with the Batavian, got its constitution reorganised in a way that made it entirely dependent on France—all these were circumstances which, though they did not concern England directly, strongly conduced to keep alive and increase the hostile feeling against France, already excited by the commercial-political reasons before mentioned.

Such was the state of feeling in England when Lord Whitworth, towards the end of 1802, was sent to Paris as the ambassador of King George III. to the French Republic. In his instructions the Addington-Hawkesbury Ministry had in mind the basis for the negotiations in London and Amiens, an extension of French territory on the Continent to be counterbalanced by corresponding advantages for England. The basis of the peace was 'the then existing state of possession. In every case in which that state of possession had undergone some material alteration, or in which the engagements which were then subsisting had been violated to the prejudice of England or of the other powers of Europe, the English Government found it to be their

[1] *England and Napoleon*, p. 25.

[2] *Correspondance de Napoléon Ier* vii. 696.

undoubted right to interpose.'[1] And, as we have seen, such instances were certainly not lacking. Lord Whitworth was to make representations to the French Government, but to 'avoid with peculiar caution committing his Majesty's government as to what may be their ultimate determination upon all or any of these points—viz. whether under any circumstances an unsatisfactory explanation respecting them might lead to war on the part of his Majesty; whether it might induce his Majesty to claim some additional acquisition to counterbalance the acquisitions of France, or whether it might be thought most prudent for the present to acquiesce.'[2] The British Government had also now resolved not to evacuate Malta, *even if* the provisions in the treaty respecting it could be carried into execution, either to keep the island definitely or by negotiations for its surrender make such stipulations that might compensate in some degree for the encroachments of France. Malta was necessary for England, partly as a strong place to support her ascendency in the Mediterranean, partly to enable her to prevent a fresh attack on Egypt, and also to make a firm stand against Napoleon, as it was seen that concessions led to nothing but fresh encroachments on the part of France. But the Addington Ministry consisted of men with moderate gifts, who were not equal to the requirements of their high office, and who did not understand how to put themselves at the head of public opinion, but who instead let themselves be led, or rather driven onwards, by it. This occasioned a certain irresoluteness in their plans, a certain vagueness in the instructions given to Lord Whitworth. He was to avoid making mention of the Malta question; if the French Government began a discussion about it he was, above all, to 'avoid committing his Majesty as to what may be eventually his intentions with respect to that island.' He was to point out how some of the many intricate provisions in the Treaty of Amiens—in respect of the election of Grand Master, in respect of the issuing of a guarantee for the new

[1] *England and Napoleon*, p 7. [2] *Ibid.* pp. 8, 9.

state of things by the Great Powers &c.—had as yet not been put into execution. And then in Lord Whitworth's instructions it is further said: 'I recommend you, however, to avoid saying anything which may engage his Majesty to restore the island, even if these arrangements could be completed according to the true intent and spirit of the 10th article of the Treaty of Amiens. His Majesty would certainly be justified in claiming the possession of Malta as some counterpoise to the acquisition of France since the conclusion of the Definitive Treaty; but it is not necessary to decide in the present moment whether his Majesty will be disposed to avail himself of his pretensions in this respect.' [1]

Looking at these instructions, it must have been the intention of the English Government not to give up Malta. The order given to the ambassador to avoid the subject if possible, and if it were touched upon not to say anything definite, must be regarded as an expression of the weakness and disinclination of the government to take a bold and resolute step. Addington and Hawkesbury had themselves concluded the Peace of Amiens, and had been very popular in England at the time when the peace itself was popular; therefore it was not to be wondered at that they were reluctant to break any of its clauses without a very decided cause for doing so. They might temporise for the present; with a knowledge of Bonaparte's character one could be pretty certain that something would occur before long which might give the British Government a plausible pretext for coming forward and giving its decision: 'We *will not* give up Malta.' They had not long to wait.

The bitter feeling prevailing in England against France was the cause of the English papers constantly containing fierce invectives against France and the First Consul. Napoleon took great offence at this, replied in 'Le Moniteur' in the same strain, and once—January 30, 1803—probably carried away by his anger at some fresh attack in the English papers, he was induced to publish a report which Colonel

[1] *England and Napoleon*, p. 10.

(afterwards Marshal) Sebastiani had given of a semi-official expedition which he had been commissioned by the French Government to undertake in Egypt and several other countries, and which was characterised by great animosity against England, her government, and her army.

The publication of Sebastiani's report has been regarded by many—and just lately Mr. Rose, writing in the 'English Historical Review' is of the same opinion—as the principal cause of England's insisting on her claim to Malta ; and it has been generally assumed that it was the aim of the French Government to produce such an effect ; but Lord Whitworth's despatches prove this assumption was not quite correct. In the letter where Lord Whitworth first makes mention of the report it is done only *en passant*. He devotes but a few lines to the whole affair, whilst about fourteen-fifteenths of the letter treat of other things. Neither did it deserve much more attention, for the official organ of France constantly contained articles in about the same strain—not written, as in this case, by a subordinate agent, but by no less a person than the First Consul himself. The French plans alluded to in Sebastiani's report were no news to English statesmen. We have seen how Lord Whitworth several times, long before any mention was made of Sebastiani's report, could assure his government with great certainty of Napoleon's design to again take possession of Egypt. If it had really been the intention of the French Government to provoke England to a violation of the peace, then it must have at once abandoned the idea of continuing the war against the negroes in Hayti ; but on the contrary this was so far from being the case that Lord Whitworth, on January 24—six days before the report appeared in 'Le Moniteur'—wrote to Lord Hawkesbury : 'The greatest exertions are continued for the speedy reinforcement of General Rochambeau'[1] (the new French commander in Hayti). But the strongest proof that the French Government had not acted deliberately in the publication of the report can be found in the fact that Talleyrand was most

[1] *England and Napoleon*, p. 50.

anxious to efface from Lord Whitworth's mind the unfavourable impression that it might have made on him. Whitworth writes on February 7: 'I have had a conversation by appointment with M. Talleyrand, in which it was evidently his object to endeavour to do away with every suspicion to which the publication of Colonel Sebastiani's report might have given rise. He assured me that the object of that officer's mission was solely commercial, and for the purpose of ascertaining how far it might be practicable to resume the former system of trade between France and the countries which he had visited; that it was true he had been instructed to ascertain the fact of the British army remaining in Alexandria, and if so to inquire with what intention and for what length of time; that if he had gone beyond the limits of his instructions, and had entered into any military detail or speculation, it must be imputed solely to the zeal and ardour of a young officer too hastily presuming that from the circumstance of so important a clause in the Treaty of Amiens being so long unaccomplished the British Government looked to a renewal of hostilities.'[1] And already on February 2 Lord Whitworth had met Colonel Sebastiani at a dinner at M. Talleyrand's. Whitworth writing of this says: 'Without any observation on my part which could lead to such a conduct, he recanted everything he had said in his report disrespectful to General Stuart, and mentioned him in terms of great esteem.'[2] It may be taken for granted that Sebastiani would not have retracted his words only three days after they had been uttered, and without any motive from the insulted party, if he had not been counselled to do so by his government.

But if from the above-mentioned facts, from the continued preparations for the expedition to Hayti, from Talleyrand's excusatory explanations, from Sebastiani's own behaviour— if from all this we may consider ourselves entitled to assume that the publication of the report must not be regarded as an expression of any desire on the part of the French Govern-

[1] *England and Napoleon*, pp. 61, 62. [2] *Ibid.* p. 59.

ment to provoke England, and in this way cause an immediate crisis, then there remains this question to be answered, What, then, was the motive? We have already made a surmise by connecting the publication of the report with the newspaper war and with the way Napoleon regarded the same. In a despatch of January 27 Lord Whitworth writes that M. Talleyrand, conversing with him, 'had pronounced a most bitter philippic against the English newspapers, assuring him that the First Consul was extremely hurt to find that his endeavours to conciliate had hitherto produced no other effect than to increase the abuse with which the papers of both sides of the question in England continually loaded him.' 'Lord Whitworth was,' he goes on to say, 'given to understand that the First Consul was in fact highly incensed, and the more so, he was pleased to say, as it came from a country of whose good opinion he was so very ambitious.'[1] If we compare this letter of Lord Whitworth's of January 27 with the publication in 'Le Moniteur' of January 30, and add to this the fact that Napoleon, although incensed at the freedom with which the English papers spoke of him, his government, and his intentions, still thought he could reply to them in the official French press with a still greater want of consideration, we are led to conclude that the whole affair must be regarded as one of those badly arranged plans, or rather not arranged at all, to which Napoleon sometimes suffered himself to be led by his anger; plans which are to be met with in his history by the side of combinations arranged with a genius and a consistency so great that in this respect he has scarcely had his master.

Sebastiani's report was a very welcome pretext for the English Government to come forward openly with its intention of keeping Malta. Lord Hawkesbury immediately assumed a high tone: he commanded Lord Whitworth to represent that it was impossible for his Britannic Majesty to regard the report, signed by an official agent, addressed to the chief man of France, and published in the official paper

[1] *England and Napoleon*, p. 52.

of the country, otherwise than as an official document. But regarded in this light it was of such a nature that the English Government must demand satisfaction. 'The report discloses,' continues Lord Hawkesbury in his instructions to Lord Whitworth, 'views in the highest degree injurious to the interests of his Majesty's dominions and directly repugnant to and utterly inconsistent with the spirit and letter of the Treaty of Peace concluded between his Majesty and the French Government; and that his Majesty would feel that he was wanting in a proper regard to the honour of his crown and to the interests of his dominions if he could see with indifference such a system developed and avowed. His Majesty cannot, therefore, regard the conduct of the French Government on various occasions since the conclusion of the Definitive Treaty, the insinuations and charges contained in the report of Colonel Sebastiani, and the views which the report discloses without feeling it necessary for him distinctly to declare that it will be impossible for him to enter into any further discussion relative to Malta unless he receives a satisfactory explanation on the subject of this communication.'[1] It cannot be said that in reality these instructions imply any decided step beyond the standpoint that the English Government had taken when Whitworth was sent to Paris. The same uncertainty and irresoluteness prevailed on both occasions; this time it found expression in the command to the ambassador to make representations, it is true, but still for the present 'refrain from making any written communication on the subject without further orders from his Majesty.' The original standpoint of laying the blame of the delay in the evacuation of Malta entirely on the unfulfilled provisions of the treaty had already before January 30 been abandoned. For when the Malta question, the first time after Whitworth's arrival in Paris, was made the subject of conversation between him and the Spanish Ambassador, Azara, who had been sent by Talleyrand to sound Whitworth on the subject, Whitworth said, according to his

[1] *England and Napoleon*, p. 67.

orders, that he was without 'instructions on the subject,' but still made known to him his private opinion, 'which was that Malta could not with any degree of prudence be given up whilst this country was making and meditating such acquisitions as could not but excite the utmost jealousy and justify the utmost precautions on the part of the other powers of Europe.'[2] And when Talleyrand shortly afterwards, but before January 30, officially inquired of Lord Whitworth what was the intention of the British Government respecting Malta if all the provisions of the treaty were fulfilled, the latter had almost the same answer to give—he was without instructions, and would report the communication to his government. When the Malta question had advanced so far the English Ministry could not evade giving an answer, and then Sebastiani's report was just what was needed to support its refusal to evacuate Malta under any circumstances whatsoever—whether the terms of the treaty of peace were fulfilled or not; and in this way it was made use of. The English Government demanded satisfaction, but would not say in what manner it was to be given or of what it must consist. Neither could it do so, for at the bottom it was not Sebastiani's report nor anything connected with it for which England needed and demanded satisfaction; it was for the whole ascendency of France, for her whole policy, commercial and colonial, as well as that which immediately concerned the states on the Continent. And for this satisfaction could only be given by France being made to change her system, and to bring this about a fresh war with France was necessary.

A couple of months passed before it came to a complete rupture. This period was filled up for the most part with negotiations concerning Malta. A number of projects and counter-projects were put forward both from the French and the English side, which, as a rule, were rejected as soon as they were preferred. And it was natural that it should be so, for, though the negotiations were said to be of Malta, there was

[2] *England and Napoleon*, p. 41.

in reality another and more weighty fact to be taken into consideration. The Malta question must not be regarded as being only a pretext ; it was, as we have already shown, all too important. But even if an agreement could have been arrived at respecting it, even if they could have come to terms as to who should be the possessor of the little rocky island in the Mediterranean, the great question would still have remained unanswered : should England allow France to develop and strengthen her commerce, her navy, and her colonial power so that the day might soon come when a naval war would be dangerous to England? That this question must be answered with *no* is the chief explanation of the outbreak of the war between England and France in 1803.

The victory of Trafalgar sealed the certainty that Napoleon would not succeed in imposing his yoke on England also ; and in the fact that one of the great powers of Europe was able to preserve complete national liberty and independence lay the possibility of the others recovering their liberty and independence also.

AN ACCOUNT OF THE PROCEEDINGS IN SUFFOLK DURING THE PEASANTS' RISING IN 1381 [1]

By EDGAR POWELL, B.A.

INTRODUCTION

THOUGH much of the subsequent improvement in the conditions of life among the rural population of England was doubtless originally due to the ravages of the Black Death in 1348 and 1361, yet the more immediate effect of that catastrophe, during the complete disorganisation of all social relations which followed in its wake, was rather to check for the time being the process of amelioration which had been going on.

In the country districts the sudden sweeping away of nearly one-half of the population had rendered the supply of agricultural labour exceedingly scarce, and the inevitable demand for higher wages had at once followed. The stubborn refusal, however, on the part of the landowners to pay the higher rate necessary under the new conditions of life, and the equally stubborn refusal on the part of the labourers to work at the old, had brought the business of agriculture almost to a standstill. Alarmed at the gravity of the situation the legislature stepped in and limited by statute the legal wages to be received by labourers, artisans, and servants, and by punitive measures against those who gave or received any higher, endeavoured to force down wages to the now impossible rates which had ruled before the plague. This legislation,

[1] Owing to a misunderstanding as to the space available, this paper has had to be considerably shortened, and reference to several points of interest in connection with the subject altogether omitted.—E. P.

though practically a failure for the object for which it was designed, had the effect of exasperating to the last degree a large class of the community, and by extorting from them great sums in fines subjected their respect for law and order almost to the breaking strain.

When, indeed, we consider how large was the class which these statutes affected, the great severity with which they curtailed personal liberty—even going the length of the revolting cruelty of branding the foreheads of those who infringed them with an F for falsity,[1] we can only wonder, not so much at the outbreak of an insurrection, as that it should have been so long delayed.

A glance at the Poll Tax schedules for the hundred of Thingo (see Appendix, p. 227), where the inhabitants are arranged in classes as labourers, artificers, and servants, using a terminology similar to that of the statutes, shows that out of a total of 860 names, no less than 798 came under the three classes aimed at by the statutes; and I think we may fairly infer some such proportion would hold good throughout the country districts, at all events in East Anglia.

Already do we find that in self-defence the working-classes had begun to form confederate clubs, the prototypes of our modern trades unions, whose object was to resist with a strong hand the claims for customary labour due from the holders of servile lands, which it appears the landlords owing to the scarcity of labourers were now trying to enforce to the utmost.

In the struggle that eventually ensued we do not find that the working-classes were left to fight alone, for Walsingham's description of the insurgents as 'discaligati ribaldi,' though doubtless true to a large extent, is hardly exhaustive. When we find such names as Richard Talmache de Bentley, John Talmache, Esq., Sir Thomas Cornerd, Knt., Thomas Monchesy of Edwardstone, James de Bedyngfield, and others,

[1] This penalty could be enforced if the prosecuting party wished it. It was, however, ordered that the branding-iron should be kept in custody of the sheriff. (See Statute 34 Ed. III.)

all names of well-known county families, among the active leaders of revolt, we must admit that the popular party had obtained the active support and sympathy of a considerable proportion of the country gentry.

A genuine sympathy for the working-classes, combined with the strong aversion which they held, in common with them, to the payment of the Poll Tax, may well account for many of the better class giving their active assistance to the movement. No doubt also many of the more thoughtful must have felt the full force of the complaint of Piers Plowman, 'Væ terræ ubi puer rex est,' and have hoped that had success crowned their efforts some change for the better governance of the realm might have been brought about.

The awful mortality during the Black Death had also, by severing so much of the tradition of the past, given scope for the growth of new ideas and aspirations, which, under the impetus given them by the genius of the great reformer, spread far and wide through the land. Indeed, the keen criticisms of Church and State poured forth by travelling priests such as John Balle—himself, it is said, a disciple of Wiclif—found an eager audience among the working-classes, and, being carried through the length and breadth of the country, left men's minds unsettled and expectant in every department of life.

Nor were these social problems which called for solution within the realm the only trouble with which the nation was at this time confronted.

On the northern border the savage incursions of the Scots had devastated the land, so that indeed no return for the Poll Tax appears to have been possible for the county of Northumberland, and the townsmen of Penrith state that, for the same reason, they were 'adeo depauperati,' that they could only furnish seventy-five shillings to the collectors, while the return of population for Cumberland, given as 11,800 in 1377, is returned in 1381 as only 4,700.

Nor were matters very much better on the southern shores of the island, where the frequent descents made on

the coast by the French checked all industry and kept the inhabitants in a state of continual alarm.

Distracted thus on all hands by difficulty and danger, the country, after providing tax after tax without any apparent benefit accruing, was called on by the Parliament which met at Northampton in November 1380, to provide still further for the expenses of a military expedition on the other side of the Channel. This was done by means of a Poll Tax, to fully collect which the ordinary methods appear to have failed, and the rigorous means thereupon introduced to enforce payment, at once fanned into open flame the long smouldering discontent which overspread the country.

This tax, which forms so important a factor in the subject before us, was to be charged at the rate of three groats, or twelve pence, on every lay person male and female of the age of fifteen years, beggars only excepted. Though the sum total for each township was to be as many shillings as it contained residents over the age of fifteen years, it was also arranged that the richer members of each community should pay more than the poorer, within the limits that no one should pay more than sixty groats, or less than one groat, for himself and his wife ; and no one could be charged except in the township within which 'he and his wife and children dwelt, or where he was domiciled if in service.' The proceeds of the tax were to be paid into the Treasury in two sums, viz. : two-thirds were due in January 1380, and the remainder in the following June [Rot. Parl. III. 90].

The procedure of the collection of the tax appears to have been as follows. The collectors acting on the authority of Letters Patent dated December 7, 1380, set to work at once, and it seems for the most part collected the entire subsidy of three groats per head at one collection, of which amount they paid over two-thirds into the Treasury, furnishing at the same time an account of what the population in each county amounted to, and of the money due. These accounts, where extant, are preserved among the Exchequer Lay Subsidies, and are arranged under counties as 'views of

accounts.' Though this collection was made with much difficulty and delay, it does not appear to have met with any organised resistance. But the amount collected was regarded as very unsatisfactory.

On February 22, the king, with the advice of his council, issued a writ to the Barons of the Exchequer[1] in which he states that the two-thirds already received had fallen so far short of the amount anticipated as to be quite inadequate for carrying out the ordinances made by Parliament for the safety of the realm and support of the army abroad, and ordered them, since he understood that the tax had been already wholly levied,[2] to instruct the collectors to pay in at once all the sums levied, and all they could still levy, on April 21, instead of in June as originally ordered, in order thus to avoid any mischief that might happen to the realm and army through lack of funds.

When the disappointing nature of the results to be obtained from the tax were fully realised, it became evident that something was very wrong, and severe measures were deemed necessary to rectify matters. Accordingly on March 16 we find[3] that the king, having satisfactory evidence in his possession that the collectors had been guilty of gross negligence and favouritism in the performance of their duties, commissioned a staff of inspectors for each district named, armed with large authority and powers of imprisonment, to travel from place to place, scrutinising carefully the lists of inhabitants, and forcibly compelling payment from those who had evaded it before. This commission was however limited to the following districts,

Norfolk	Hunts	Notts and Derbyshire	Canterbury	Somerset
Suffolk	Herts	Devon and Cornwall	Northants	West Riding (Yorks)
Cambs	Essex	Kent	Gloucestershire	

Some of the appointments under this commission do not seem to have been made till May, so perhaps no steps were

[1] Q.R. Memoranda Roll, 4 Ric. II., Brevia, m. xxv.

[2] L.T.R. Enrolled Accounts (Subs.) No. 13; under 'Villa Leycester,' 'quod collectores idem subsidium integre levaverunt et collegerunt ut rex intellexit.'

[3] L.T.R. Orig., 4 Ric. II. m. 12 and 13.

taken till after the time appointed to the collectors for making their final payments.[1]

It appears that it was the action taken under this second commission, regarded as it possibly may have been by the people rather in the light of an attempt to extort a fresh tax without the authority of Parliament, that was the more immediate cause of the outbreak.

Henry Knighton relates that the person who suggested this latter course to the king was a certain John Leg whose name appears as 'serviens ad arma regis' in the second commission, for the county of Kent, and no doubt the same person whose death at the hands of the London mob is related by Walsingham.

The enrolled accounts of this Poll Tax seem generally to give the population in the several counties at a higher figure than the first returns of the collectors, and in the districts affected by the second commission this increase is very noticeable indeed; but when we come to compare these totals with those given in the enrolled accounts for the 4*d.* Poll Tax of 1377 a most remarkable diminution of the population appears.

It will be best to give in a tabular form the results of the three returns mentioned above, for the counties of Norfolk and Suffolk.

—	First returns made by collectors 1381	L.T.R. enrolled account 1381	L.T.R. enrolled account 1377
Norfolk . . .	58,714	66,719	88,797
Norwich . .	3,268	3,833	3,925
Lynn . . .	1,757	1,824	3,127
Yarmouth . .	no separate return	no separate return	1,941
Suffolk . . .	31,734	41,635	58,610
Bury . . .	no separate return	1,334	2,445
Ipswich. . .	963	963	1,507

A Poll Tax was also laid on the clergy at this time, charged on the higher grades at twenty groats, and on the

[1] The account of one of the inspectors, Thomas Sayvill, who was sent to Notts and Derbyshire, is extant. He left London on April 30, 1381, and returned on August 4, and his expenses were 1*s.* 6*d.* per day for the ninety-six days he was away. Exch. Q.R. Misc. $\frac{207}{16}$.

inferior clergy, over the age of sixteen at three groats.[1] The enrolled accounts of this tax show a clerical population of 1,298 in the two Archdeaconries of Suffolk and Sudbury. The money was to be paid in two sums on February 22, 1381, and June 24 following.

The large discrepancy between the returns of the population in 1377 and 1381 is to be accounted for, I think, on the supposition, not that the population had necessarily decreased, though that may possibly have been the case, so much as that, in order to evade the Poll Tax collector, a large portion of the inhabitants of the towns and villages had left their homes and taken to a roving life in the woods and wastes of the country. The fact that no one could be legally charged except at the place where he dwelt, may have encouraged a process, which if it went on on a large scale, would certainly have facilitated the work of the leaders of the popular party in collecting their large bands of malcontents. The possibility too of bodies of men being able to move from place to place, without being suspected of any motive ulterior to the evasion of the tax, may perhaps account, partially at any rate, for the country being taken so much by surprise, and so completely at a disadvantage, when the outbreak came.

The following account of the proceedings in Suffolk during the rising in 1381 is chiefly compiled from the legal records of the proceedings taken against the rioters after order was restored. These are to be found on the Coram Rege Rolls of the period, and in the Antient Indictments referring to this county. From the latter class unfortunately all the In-

[1] L.T.R. originalia, 4 Ric. II. m. 49. To the Archbishop of Canterbury. Dated December 20, 4 Ric. II. :

'Quod omnes et singuli prelati etiam regulares cujuscunque gradus status ordinis sexus vel condicionis fuerint ac clerici quomodocunque promoti etiam si exempti privilegiati qualitercunque fuerint omnesque presbiteri non promoti tam regulares quam seculares ac etiam moniales infra vestram provinciam constituti omnesque et singuli advocati procuratores examinatores registratores et notarii publici singuli videlicet viginti grossos omnesque et singuli diaconi subdiaconi accoliti et alii inferiores etatis sex decem annorum et ultra in gradu et habitu clericali quomodolicet existentes qui mendicantes notorie non fuerint tres grossos nobis terminis supradictis persolvent.'

dictments taken at Bury have been lost. This gap has however been filled to a certain extent, by the account given of the transactions at Bury and Mildenhall by John Gosford, almoner at that time to the Abbey of Bury, and afterwards Prior. A fifteenth-century transcript of his work is preserved among the Cottonian MSS. in the British Museum (Claudius, A. XII.).

An Account of the Rising in Suffolk in June 1381

The principal leader of the popular party in Suffolk, and, indeed, it appears a chief mover and leading spirit in the insurrection throughout the counties of Norfolk, Suffolk, Cambridgeshire, and Essex, was a certain John Wrawe, of Sudbury, described on the Coram Rege Rolls as a 'capellanus' or chaplain.

Thomas of Walsingham, who gives a long account of this period, tells us that Wrawe had been in London immediately before the outbreak in Suffolk, and in close intercourse with Wat Tyler, the Kentish leader. Judging from subsequent events, we may infer that they then finally decided that the time for action had arrived, and arranged that the outbreak should be simultaneous, as far as possible, in the districts over which their organisation extended. After his final consultation with Tyler, Wrawe returned immediately to Suffolk, and in the town of Sudbury on Wednesday, June 12, 1381, gave the first signal for revolt.

The opening scene in the terrible tragedy which ensued during the month of June was laid at the little village of Liston in Essex, which lies not far from the town of Long Melford, and close on the borders of Suffolk.

To this spot on the 12th Wrawe directed his forces, being it seems already in command of a large body of countrymen, drawn chiefly from the counties of Norfolk, Suffolk, Herts, and Essex. Immediately on his arrival he dispatched emissaries to the neighbouring town of Sudbury, some three

miles distant, commanding all men of that town forthwith to repair to him at Liston. Joined by such reinforcements as arrived, the mob marched with one accord to the manor house of Overhall. This they assailed with great fury and completely wrecked, breaking in, we are told, both doors and windows, and destroying the tiles on the roof.

In choosing the object for his first attack, Wrawe was no doubt guided by a knowledge of what would best give the popular discontent unanimous expression. This appears more clearly when we find that the owner of this manor of Overhall was Richard Lyons, a man who had obtained considerable, though unenviable, notoriety during the reign of Edward the Third. In the Parliament of 1379–80 he appears to have sat for Essex, but had previously been a farmer of subsidies and money-lender to the king, in which capacity he fell foul of the Parliament in 1376, and having been impeached for various extensive frauds and peculations was deprived of his lands and goods. These, however, he managed eventually to regain, though, as was supposed at the time, chiefly through the instrumentality of Alice Perrers, the king's mistress. We can thus see why popular feeling may well have been so strong against him as to induce Wrawe to select his house for the first attack. Lyons himself, indeed, according to Henry Knighton's account, fell a victim to the popular fury in London. He certainly died on June 14, 1381 for it is by means of his Inquisition post mortem that he can be identified as the owner of Overhall at Liston.

Stow, in his Chronicle, states that Richard Lyons was a lapidary and wine merchant of London, and Grafton's Chronicle relates that he once had Wat Tyler dwelling with him, presumably as apprentice, 'and on a tyme did beate him,' so that in procuring his death we are led to infer that Tyler was paying off an old grudge.

On the following day, Thursday, June 13, being the feast of Corpus Christi, the mob procceded to Cavendish, a village about six miles to the north-east of Sudbury, and John Wrawe is again their leader. The attack here was directed

on the parish church, but not with any idea it would seem of harming the edifice. They appear even to have taken the trouble to procure the keys, through the felonious practices, we are told, of Ralph Somerton, dyer of Sudbury, who thereupon admitted John Wrawe and his crowd of followers into the church, and led them to the belfry, where they had been informed the goods of 'John de Cavendish, late Justice of our Lord the King,' had been hidden away. These they at once seized, taking away from the church tower, as we are told, a 'Jakke of Velvet,' price 26*s.* 8*d.*, a silver candlestick worth seven pounds, and other articles of value, which spoil Wrawe was called upon to divide among his followers.

The fact that the king's justice should have found it necessary to remove his valuables to the church for safe custody, would seem to indicate that he knew himself to be obnoxious to the people, and felt strongly the growing discontent of the times.

After pillaging the church tower at Cavendish, Wrawe, wishing to fortify his band for their all-important expedition to Bury, led them at once to Melford Green, where, we are told, they repaired to the tavern of one Onewene to refresh themselves, and, as the roll quaintly tells us, 'adinvicem biberunt unam pipam vini rubei,' of the price of seven marks 3*s.* 4*d.*, which amount was, however, faithfully paid to the taverner from the spoils already taken. After a short halt they again set forth, this time taking the road to Bury St. Edmunds, which they reached the same day, though probably late in the evening, the distance from Melford being about seventeen miles. Arrived here, Wrawe lost no time in issuing a proclamation to the men of Bury, which one regrets much has not been fully recorded. Its main point, however, at all events from a legal point of view, seems to have been a summons to the townsmen to meet him and his band in the Southgate of Bury, and to act with them in all things, on pain of instant decapitation if they gainsaid him. (Coram Rege Roll, 484, Rex 26.)

The next morning (Friday, June 14) the mob, under the

command of John Wrawe, Robert Tavell, of Lavenham, and John Talmache, Esquire, directed their attack on the house of John de Cambridge, the prior of the abbey, which they succeeding in breaking into and despoiled of its contents. Meanwhile a detachment had been dispatched by John Wrawe to Thetford under the command of Geoffrey Parfay, vicar of All Saints, Sudbury, together with his chaplain Thomas, and one Adam Bray, of Sudbury; Thos. Monchesey, of Edwardstone, Esquire, junior, being also mentioned as one of the party. On their arrival thither they summoned the mayor, Simon Barbour, and the chief burgesses before them, and levied blackmail on the town to the extent of forty marks of gold, threatening that if the money was not paid down at once, they would send to Bury and fetch John Wrawe and all his band, who would burn their town about them.

From this incident we see the great terror which the name of Wrawe inspired, for from the Norfolk indictments referring to the same matter we learn that the whole band who came to Thetford consisted of only seventeen men, a force which one can hardly suppose the mayor and corporation could have failed in giving a good account of had not the name of Wrawe completely overawed the town.

On the same day, we learn from the Coram Rege Roll, Sir Thomas Cornerd, Knight, took advantage of the occasion to go over to Stansfield, near Bury, and entering the house of one John Rokwood[1] there, took from him the sum of five marks, using threats similar to those Parfay had so successfully employed at Thetford. Wrawe states that Cornerd's little expedition was made without any authority from him, though he did not scruple to benefit by it; for it appears Cornerd was only allowed to keep 40*s.* 'pro labore suo' out of the money taken, the rest falling to Wrawe, to whom it is also recorded the money taken at Thetford, with the exception of 4*l.*, was duly handed over.

Wrawe and his band at Bury, having wrecked the house

[1] A Johannes de Rokwood was escheator for Norfolk and Suffolk in 1375. Rymer, iii. 1044.

of the prior, proceeded to that of John de Cavendish in the same town, which they subjected to similar treatment. Of the spoil taken hence it is noted that Robert Tavell got possession of a remarkable sword, described as 'unum gladium argento harnesiatum et deauratum et perre,'[1] of the value of a hundred marks. While his house was thus being ransacked at Bury St. Edmunds, John de Cavendish himself had had the misfortune to fall into the hands of another band of rioters in the neighbourhood of Lakenheath, a parish lying in the fens beyond Mildenhall, some twenty miles to the north-west of Bury. Owing to the fact that the indictments taken at Bury have been lost from the series, I have not been able to find a detailed account of Cavendish's capture and death; a list, however, of 104 of the malefactors is preserved, and in some cases the different parts they took in this tragedy have been duly noted against their names. Also from the Placita Coronæ, at Mildenhall, on June 27, we learn, on the authority of John de Pole, late 'camerarius' to John de Cavendish, who there accused John Poter, of Somerton, of abetting the murder, that it took place in the parish of Lakenheath, and on June 14. We may suppose that the justice was travelling on his round of duty in the district, but with too weak an escort, and being surprised by a band of rioters was compelled to fly for his life. Chief among his pursuers were Stephen Martyn and Richard Rond, who, as the scribe has noted, followed him 'usque ad mortem.' Perhaps thinking of Ely as a refuge he directed his steps for the river, hoping that by boat his chance of escape thither would be considerably enhanced, or that, could he even manage to put that barrier between himself and his pursuers, he might yet manage to elude them.

At the water's edge, however, his object was cruelly frustrated, and that too by a woman, for against the name of Katharine Gamen, of Lakenheath, stands the following note: 'liberavit batellam de terra, perquod dictus Johannes de Cavendish non potuit evadere mortem.' From which we

[1] Probably from the French, meaning set with stones.

may gather that, seeing the pursuit, and divining the object the unhappy man was straining every nerve to obtain, she rushed to the water's edge, and by pushing off the boat into mid-stream rendered escape in that direction impossible. The final scene in the tragedy probably followed immediately. The justice was soon seized by one John Pedder, of Fordham, and on the arrival of the mob was beheaded forthwith, one Matthew Miller, we are told, performing the horrid office of executioner. Cavendish's head was then carried back by the mob to Bury, and placed over the pillory there.

It has been often stated that the murder of John de Cavendish was committed by the insurgents in revenge for the death of Wat Tyler, who is said by some to have been finally dispatched by the justice's younger son. This I think can hardly have been the reason, as, on examining the evidences of the dates, it appears that Tyler's death did not take place till after that of Cavendish.

The real clue to the justice's unpopularity among the peasant class is, I think, given on the rolls of Parliament, where it appears he was granted extra salary as a justice for enforcing the Statutes of Labourers in the counties of Suffolk and Essex.

He was, as we have seen, a resident in the county, and he died seised of the manor of Overhall at Cavendish and a small estate there. He was also chancellor of the University of Cambridge, an office now held by his lineal descendant.

On the same day (June 14) we have an instance of what would seem to be an attempt to right some grievous private wrong with the aid of the rioters. For we find Simon, the vicar of Mildenhall, was arrested on the charge of having, with some others, insulted Ralph Attwyk, the Cambridgeshire escheator, at his house at Newmarket, and threatened to behead him unless he gave up the daughter of Ralph de Walsham, of Mildenhall, who had lately been carried off.

In order to understand correctly the action in Bury and the district during this period, it will be necessary to take a short review of the interesting events which had occurred in

connection with the town and monastery during the two years previous to the rising.

On December 30, 1378,[1] had died, at his house at Elmswell, John Brynkele, abbot of the monastery, and after his burial in St. Mary's Chapel the prior and convent, having obtained leave of the king, proceeded according to custom to elect his successor. After some delay their choice fell upon one John Tymworth, then occupying the position of sub-prior, who with great difficulty was prevailed on to accept the post.

It was now necessary to obtain the pope's confirmation to make the election valid, so Tymworth, having been forbidden by the king to leave the country, sent off two monks of his house to Rome to obtain the needful documents. These men left Bury on February 10, and arrived at Rome on April 4 following, occupying a little more than seven weeks in the journey. Arrived here, they were very kindly received and entertained by the pope, but when it came to talking of the business of their mission, they met with nothing but fair words and endless delay. The reason for this treatment they soon found out, namely, that the pope had granted the abbacy to a provisor, one Edmund Brounfeld, a Bury monk, who had been in residence at Rome as procurator-general for the order of Benedictines in England, and who, having obtained by express messenger the news of the abbot's death, was now well on his way back to England with his credentials and bulls from the pope.

When the news of Brounfeld's return to England reached his adherents among the monks at Bury, their first move was made at a chapter-meeting in the abbey, when one of them got up and endeavoured to read the papal bulls appointing their leader abbot. The prior, finding the documents lengthy, asked to have them to peruse at leisure, which being refused, he moved to adjourn the meeting for divine service, whereupon arose a fracas in the chapter-house, in which the prior, according to Gosford's account, was somewhat roughly handled. Eventually the provisor's party, defying the prior's

[1] Coram Rege Roll, 476, Rex 1.

authority, left the abbey without leave and went out to the parochial churches in the town, there relating their grievances to the populace, and alleging that the prior and his party had attacked them with murderous intent in the chapter-house and cruelly ill-used them. Thus by enlisting on their side the sympathies of the good people of Bury, who were always, it would seem, glad enough of an opportunity to testify their antipathy to the monastery, they managed to persuade them to take an active part on the provisor's side in the quarrel which ensued.

Reinforced by the Bury populace, among whom we may note the names of Thomas Halesworth, Robert Westbron, John Clakke, John Smyth, parson of Stansfield, and Walter, parson of Ixworth, they returned to the abbey, and, having forced their way into the building, succeeded in reading the bulls from the steps of the high altar. On the third day after this Brounfeld himself, who had been in hiding at the Carmelites' house in Ipswich, arrived on the scene, and, with the help of the townspeople and of his own party among the monks, was eventually installed as abbot, and the day following celebrated mass with mitre and staff.

Of the monks within the abbey we learn that forty-two were on the side of the prior and seventeen on that of Brounfeld, and between these two parties continual strife ensued, and most unseemly conduct is graphically related by Gosford as going on within the precincts.

News of these transactions, however, soon reached the king, who at once dispatched his officers to bring Brounfeld to London, where he was tried and condemned under the Statute against provisors, and sent prisoner to the Tower.[1] Many of the leaders among the townsfolk were also tried and condemned for the share they had taken in the late riots, and were finally severally bound over in large sums of money from entering the abbey precincts or in any way molesting or interfering with the prior or his dependants.

[1] Brounfeld appears to have been confined also at Corfe Castle, and at Not tingham. He was eventually made Bishop of Llandaff.

Actual violence between the town and monastery was thus for a time forcibly suppressed, but the ill-feeling between them continued as strong as ever, and only waited for a suitable opportunity to again break out into open hostilities. Great, then, must have been the consternation within the monastery when, in the summer of 1381, the collection of the Poll Tax threw the whole county into open insurrection.

It would seem that news of the approach of the rioters from the south under John Wrawe was brought to the prior, John de Cambridge, some time during the afternoon of June 13, 1381. Knowing, it would seem, that any effective defence of the monastery was out of the question, and feeling that the temper of the townsfolk rendered his position an exceedingly dangerous one, he decided to leave the monastery, and, waiting till nightfall, fled under cover of darkness to the house of a certain faithful servant of the monastery at Mildenhall, a town some twelve miles to the north-west, where he hoped to be able to remain in hiding till law and order could be again restored. Here he passed the night and the following day, June 14, in great anxiety and suspense, which we can well imagine became almost insupportable, as late in the day the rioters from Lakenheath were probably pouring through the town on their way to Bury, bearing with them the gory head of his old friend the justice.

Towards evening, we learn, it became evident to the prior that to remain concealed much longer in Mildenhall would be impossible, and, feeling that if he could only make good his escape to Ely he would be at least in comparative safety, he resolved to make the attempt to fly thither.

Waiting till dusk he set out on the journey, meaning to take a boat and proceed by water; on arriving, however, at the place where he hoped to embark, he found himself confronted by a band of rioters, who not only refused to allow him to enter the boat, but were with difficulty restrained from attacking him with their swords. Having at length got clear of these men, and after experiencing two or three very unpleasant encounters with roving bands in the neighbourhood,

the prior and his guide directed their flight towards Newmarket, where they managed to conceal themselves for a while in a wood about three miles from the town. Leaving the prior in hiding, his guide set out, ostensibly to obtain provisions, but having returned to Mildenhall, as Gosford relates, he traitorously betrayed his master and informed the rioters there, of whom a large portion were from Bury, of his whereabouts. On learning this the mob at once set out towards Newmarket, and a cordon having been formed round the wood, some of their number, amid cries of 'Where lurks the traitor?' advanced to seize the unhappy man, whom having made prisoner they conducted to Newmarket. Here, we are told, they all night long most blasphemously mocked him; kneeling before him they cried 'Hail, master!' and striking him with their hands cried to him, 'Prophesy who smote thee.' At break of day on Saturday, June 15, the rioters led their victim back to Mildenhall, where they were joined by a large conflux of people, probably being the mob under John Wrawe lately arrived from Bury, who on the appearance of the prior raised a great cry of 'Kill the traitor!' 'Kill the traitor!' Having led him about a mile from the town to a place known as Mildenhall Heath, the leaders commanded the prior to dismount. Here a council was held by the men from Bury, in which Halesworth and Denham took a leading part,[1] by which the prior was condemned to instant execution; which sentence, after allowing him the privilege of confession to a monk of Mildenhall, was forthwith carried out, his head being severed from his body at a single blow. The headless corpse, we are told by Gosford, lay unburied on Mildenhall Heath till the Thursday following, none of the monks daring to take it away for fear of the men of Bury, who held both him and them in the greatest hatred.

After the murder of the prior his head was placed on the point of a lance and carried by the mob to Bury, where it was met by an excited rabble of the populace with cries of 'See

[1] Coram Rege Roll 484, Rex 26.

the traitor's head!' 'Happy the day that sees our wish accomplished!'

A ghastly sort of play was then enacted with the head of the prior and that of John de Cavendish, which had been brought to Bury the night before, in mockery of the great friendship which had existed between them in life; after which the two heads were placed over the pillory. The reasons for the great detestation in which the prior was held were, according to Walsingham, not far to seek, as he had assiduously striven for the rights of the monastery against the townsmen of Bury. He appears on the same authority to have been a man of great intelligence and cultivated taste, besides being an excellent musician.

His death cannot, perhaps, be looked upon as having been a special object of, or directly compassed by, John Wrawe and his bands of countrymen, but rather as brought about by the men of Bury, led by Thomas Halesworth, Esq., and Geoffrey Denham, Esq. (described on the Coram Rege Roll as servants of the prior), in settlement of a long-standing quarrel. Indeed Wrawe in his evidence makes a point of saying that had it not been for Denham and Halesworth the prior would never have been slain. Wrawe was, however, present at the execution on Mildenhall Heath, having probably found himself unable to withhold his support.

Their thirst for blood having been thoroughly excited, the mob proceeded next to the monastery and demanded the person of a monk named Walter de Totyngton. A search on the Coram Rege Rolls [Coram Rege Roll 476, Rex 5] shows that this Walter de Totyngton, alias Walter Colman, was tried for the part he had taken in the election of Brounfeld, and that it was he who dispatched an express to Rome to tell Brounfeld of the abbot's death and advise him to take immediate action. He thus appears as a strong partisan of the provisor, whose cause the men of Bury had warmly espoused, so that it seems curious they should now seek his life; unless, indeed, the fact that the king had seen fit to pardon him may have altered their feelings towards him.

Be that as it may, when the mob arrived at the monastery Brother Walter was nowhere to be found. Not to be thus baulked, they next demand John de Lakenheath, the Custos Baroniæ, who, scorning to fly, boldly proclaimed himself and was handed over to the mob, who dragged him with great violence to the market-place; where his head, having been barbarously hacked off with eight blows, was placed with the others on the pillory.

This done, the whole mob, 'illa maledicta comitiva,' as Gosford calls them, were returning again to the monastery to demand two more monks for execution, when a report went round that another monk against whom they had yet more especial spite was in hiding at Rougham, on which they at once diverted their course thither. After passing, however, through the east gate, some one looking back espied a monk standing in the bell tower above; concluding that he was the man they were in search of, the mob again surged back to the monastery, and entering the building rushed through the presbytery to the bell tower in pursuit of their victim. Meanwhile the aforesaid two monks, who had learnt that the mob intended their execution, owing to the excitement caused by the man in the belfry, were, we are told, completely forgotten, and after expecting instant death for three hours and more before the high altar, found themselves no further molested; thus, as Gosford remarks, 'Dei clementiâ non humanâ industriâ,' escaping the sacrilegious hands of the rioters.

The next day, being Sunday, witnessed yet another execution, after which the townsmen went to the monastery and demanded that all deeds and muniments which at all concerned them should be given up, threatening that if their request was not complied with they would bring the whole rout of insurgents to slay all the monks and extirpate the monastery. On Monday accordingly, at a meeting in the Guildhall, the documents were handed over by the monks, and an agreement was made between the subprior, who acted as president for the time being, and the convent on the one

hand, and the townsmen on the other, to the effect that when Edmund Brounfeld should enjoy the abbacy, he and the convent should grant to the town not only their ancient liberties, but also some further concessions which they would subsequently ask. In pledge of fulfilment the convent had to give up their valuable jewels and relics to the custody of the town, and a brother of Brounfeld's had to become surety that the provisor would perform his part of the covenant. This agreement was made by the townsmen, thinking that Brounfeld would succeed to the abbey at once, as they heard that the Essex mob in London had compelled the king to set him at liberty.

Events, however, not turning out as they expected, we learn that the townsmen, fearing the king's hand, returned both the jewels and documents to the monastery. The town was nevertheless condemned to pay a fine of 2,000 marks, of which the king had 1,000*l.* and the abbey 500 marks for the injuries they had received.

While these events had been occurring in Bury and the district, the other parts of the county had been faring equally badly. On June 14 we find mention in the indictments of depredations going on at the house of William Gerard, of Watlesfield, by a band under Adam Rogges, bailiff of Aldham. On the 15th a more important outbreak is recorded of a large body under James de Bedyngfield, a man, I take it, of good social position and a younger son of Sir Peter de Bedyngfield,[1] who marched to the house of William Rous, of Denington, chief constable of the hundred of Hoxne, and compelled him under threats of instant decapitation to give them ten archers belonging to the said hundred, de Bedyngfield undertaking to pay them at the rate of 6*d.* per day. The next day they advanced to Gislingham, and there pillaged the house and 'lifted' the cattle of Edmund de Lakenheath, a man of large property.

This Edmund de Lakenheath, whose name appears as one of the justices before whom the rioters were tried, was

[1] See pedigree of family, Add. MSS. 19117, Brit. Mus.

pursued by the insurgents with relentless vigour; for we find that on the feast of Corpus Christi his house at Gislingham had been attacked, his court rolls burnt, and his goods taken; as well as similar attacks made on his property at Heryngswell, Lakenheath, and Stoke juxta Clare. So keen indeed was the pursuit after him that, despairing of safety on land, he was compelled to seek refuge on the high seas, but here also misfortune pursued him, for his boat, we read, was very soon captured and himself taken prisoner by the French admiral who was cruising off the coast. From the French he obtained his liberty only on payment of a ransom of 500 marks, which, together with the damage done to his property, made de Lakenheath's losses amount in all to the sum of 1,000*l.* (Coram Rege Roll, 488, 35.[1]) It is, however, stated in the indictments that James de Bedyngfield restored to de Lakenheath the property taken from him at Stoke.

On Saturday, the 15th, it appears troubles began in the Ipswich district, Thomas Sampson, of Harksted—also it would seem a man of good social position—who was the chief leader in this part of the county, having chosen this day to put forth his manifesto to the people of Ipswich and the adjoining hundreds, commanding them on pain of death to join his band on the Sunday morning following. His appeal seems to have been responded to with alacrity, and Melton, a village which appears on the map about twelve miles to the north-east, being their destination, a large body of men under Sampson forthwith set out thither. Arrived here they attacked and plundered the house of William Fraunces, a man whom Richard Talmache de Bentley[2] and his band had, it appears, seized in Ipswich, where he was soon after beheaded, John Battisford, parson of Bucklesham, we are told, taking a leading part at the execution.

What may have been the reason for especial antipathy in this case I have not been able to discover.

[1] The date given here for this attack on Lakenheath is Corpus Christi day, 5 Ric. II. [1382]. I think, however, from several considerations that this was a slip on the part of the scribe, and should have been written 4 Ric. II. [1381].

[2] Rich. Talmache and John Battisford are described in the indictments as chief leaders of the insurgents in the hundred of Wylford.

The mob in these parts do not appear to have been as scrupulous as to taking personal property as some of the chroniclers note of the London mob. In the case of W. Frances, the Coram Rege Roll (487, Rex 14) gives a list of the spoils taken—to wit, gold and pieces of silver, spoons, cups of wood (ciphi de macer), belts, rings, domestic utensils and vessels of pewter, as well as beer, corn, and beasts. In the town of Ipswich itself the houses of John Gerard, John Cobat, John the rector of St. Stephen's, and of the archdeacon of Suffolk fell a prey to the mob. The second may be sufficiently explained, perhaps, by the fact that John Cobat's name appears as one of the poll-tax collectors. He sat in the Parliament of 1377 for the town, and was no doubt a well-to-do man, the goods taken from him being valued at 100*l.* The office of archdeacon of Suffolk was at this time held by the Cardinal of St. Angelo at Rome, a fact which, together with others of a like nature, had been prominently brought forward by the Commons for complaint in the Good Parliament of 1376. So that it is possible that the attack in this instance was intended by the mob to testify pointedly their dislike to these infringements of the Statutes of Provisors.

At Culpho again, on the 16th, the house of Roger de Wolfreston, formerly escheator for the county, is despoiled of goods, the cattle and horses to the value of 100 marks being driven off. Sampson seems to have continued his depredations for some little time, outrages by the mob under him being noted at Bramfield, Barking, and Needham, and as they marched, as the roll has it, 'from village to village throughout the hundreds of Bosmere and Claydon.' He seems, however, to have managed to elude the grasp of the law till July 23, when he was captured and shortly afterwards condemned to death, but was pardoned finally by the king, and his goods, which had been forfeited, were restored to him.

On Monday, June 17, Bergholt appears as the scene of violence, a band under Thomas Fletcher of that place having forcibly compelled William Atte Heath, bailiff of the manor, to give up to them all the court rolls and extents of the

manor in his possession, publicly burnt them in front of the church, thereby we are informed, disinheriting the Lady Margaret de Sutton and John de Sutton, her husband.[1] Proceeding hence to Stratford, a village close by, they attacked Roger the parson there, threatening to take his life unless he gave them gold. This apparently he was unable to produce, and the mob eventually had to content themselves with a meagre 26*s.* 8*d.* extracted by the fear of death from his unfortunate chaplain, John Attebrook. At Mettingham, however, on the following day, a band under Walter Coselere, who, like many of the leaders who were unlucky enough to be taken, eventually paid the penalty with his head, managed to secure a very much larger booty. In this case the attack was on Mettingham Castle, which seems to have belonged at this time to John Plays and Roger de Boys, Chivalers, into which the mob forced their way and succeeded in securing goods and arms to the value of 1,000*l.*, besides 40*l.* in money; nor did they omit to carry away all court rolls, extents, and surveys upon which they could lay their hands. Under this date we also find mention of sums of money collected for the tax being taken from the house of William Marsh, of Soterley, one of the collectors.

Again, on the 19th, a second attack was made on Mettingham Castle by a large body of men under another John Wrawe, described as parson of Ringsfield Church, no doubt attracted thither by the large booty which had been taken thence on the previous day. This time, however, they only managed to get 40*l.* in gold and silver and 20*l.* worth of goods. Under this date also an attack on a manor belonging to the Countess of Norfolk at Walton is related, and the destruction of all the court rolls and manorial documents there.

In the eastern parts of the county we read of serious riots on the 18th at Lowestoft, chiefly, as appears from the indictments, under the guidance of one Richard Ressh, a foreigner from Holland; while in the Beccles district John Wrawe, of Ringsfield, leads an attack on the house

[1] John de Sutton, M.P. of Suffolk in 1377.

of Hugh Fastolf at Bradwell, from which some 400*l.* worth of goods were carried off by the rioters. Also at Beccles itself the murder of one Geoffrey Southgate is recorded, who was dragged from his house by the rioters and slain in the presence of John Wrawe, clerk, even though he held the king's protection in his hands.

The latest date of acts of violence in Suffolk which I have met with is June 28, on which day John Reynolds, of Bawdsey, seized the court rolls of the manors of Hollesley and Bawdsey on the east coast, and broke into the houses of George Glanvyle and Clement Brethenham there. John Northern, also of Bawdsey, on the same day attacked the manor house at Hollesley belonging to William of Ufford, Earl of Suffolk, who was then at Bury trying rioters in his official capacity, and took and burnt all his court rolls.

The insurrection as far as West Suffolk is concerned seems to have collapsed as early as June 23, on which day Gosford tells us the Earl of Suffolk arrived in Bury, having been dispatched thither by the king, with a body of 500 lances to quell the revolt.

It would seem he found but little difficulty or opposition in pacifying the district, for after the short space of only four days we find him engaged in hearing the pleas of the Crown at Mildenhall, and at other towns during the following week. In the records of these proceedings the frequent occurrence of the word 'decollatus' shows the severity with which punishment was meted out. The principal leader, John Wrawe, chaplain of Sudbury, was tried in London and condemned to be hanged, drawn, and quartered. He appears to have turned approver, but was not allowed on that account to escape his doom (Coram Rege Roll, 484, Rex 26).

In the eastern parts of the county lawlessness, it would seem, perhaps prevailed rather longer than in the western, but the arrival of the king in Essex with a large force, and the severe measures taken, soon awed the insurgents into at least comparative tranquillity.

APPENDIX

TRANSCRIPTS OF ALL THE POLL TAX LISTS WHICH REMAIN IN THE RECORD OFFICE FOR THE HUNDREDS OF THINGO AND LACKFORD, IN SUFFOLK

HUNDRED OF THINGO

Analysis of Poll Taxes (1381)

—	Inhabitants over 15	Male	Female	Armigeri	Agricolæ	Artifices	Laboratores	Servientes
Barrow	71	42	29	—	6	16	28	21
Brockley cum Rede	70	39	31	2	10	17	8	33
Chevington	68	35	33	—	1	8	34	25
Flempton	33	17	16	—	8	—	13	12
Fornham All Saints	32	23	9	—	2	10	10	10
Hargrave	39	20	19	—	—	—	39	—
Hawsted	63	33	30	—	2	2	38	17
Hengrave	36	21	15	1	1	—	17	17
Horningsheath Magna	53	33	20	—	—	5	21	27
,, Parva	21	9	12	—	2	—	10	9
Ickworth	47	28	19	2	—	3	21	21
Lackford	49	28	21	—	—	8	20	21
Nowton	28	17	11	—	1	—	15	12
Risby	57	30	27	—	—	—	11	46
Saxham Magna	38	22	16	—	—	5	23	10
,, Parva	57	34	23	4	14	13	—	26
Westley	36	18	18	—	6	10	4	16
Whepsted	62	33	29	—	—	9	31	22
Total	860	482	378	9	53	110	343	345

[180/49 Lay Subsidy Suffolk]

HUNDREDUM DE THYNGOWE

Villa de Barwe

Hec indentura tripartita facta inter Willielmum Tendrynge Chivaler et socios suos assessores et contra-irrotulatores ultimi subsidii domino Regi concessi videlicet de quâlibet personâ laicâ tres grotas anno regni regis ejusdem quarto ex unâ parte et Willielmum Rosschebroke Chivaler et socios suos collectores dicti subsidii ex alterâ parte

Willielmum Lyly Johannem Meriel Johannem Smyt Symonem Warner constabularios et subcollectores ejusdem subsidii ville de Barwe ex terciâ parte de numero et nominibus subscriptis de statu et gradu eorum.

Agricole	*s.*	*d.*
Stephanus Hegeman . } Alicia uxor ejus . . }	iij	
Johannes Lyly . . } Claricia uxor ejus . . }	iij	
Johannes Prycke . . } Christiana uxor ejus . }	iij	

Artifices		
Johannes Warde, *drapere* } Matilda uxor ejus . . }	ij	
Johannes Norman, *messer* } Isabella uxor ejus . . }	ij	
Johannes Soutere, *soutere* } Emma uxor ejus . . }	ij	
Johannes Dekne, *talyor* . } Margareta uxor ejus . }	ij	
Johannes Smyth, *smyt* . } Johanna uxor ejus . . }	ij	
Ricardus Meryel, *bocher* . } Agneta uxor ejus . . }	ij	
Johannes Spark, *w.bstere* } Johanna uxor ejus . . }	ij	
Walterus Turnour, *turnur* } Sibilia uxor ejus . . }	ij	

Laboratores		
Agneta Doraunt . .		xij
Johannes Lane . . } Alicia uxor ejus . . }	ij	
Henricus Lane . .		xij
Willielmus Lylye . . } Isabella uxor ejus . }	ij	
Johannes Brustal . . } Margeria uxor ejus . }	ij	
Petrus Ferr . . . } Claricia uxor ejus . }	ij	
Johannes Adam . .		xij
Johannes Massote . . } Johanna uxor ejus . }	ij	

Laboratores (cont.)	*s.*	*d.*
Johannes Boys . . } Agneta uxor ejus . . }	ij	
Robertus Mud . . } Isabella uxor ejus . . }	ij	
Walterus Slautere . .		xij
Johannes Hamund . . } Margeria uxor ejus . }	ij	
Walterus Deke . .		xij
Johannes Meryel . . } Agneta uxor ejus . . }	ij	
Adamus Warner . . } Katerina uxor ejus . . }	ij	
Walterus Dey . . } Margeria uxor ejus . . }	ij	
Caterina Schot . .		xij

Servientes		
Ricardus Norman . .		viij
Sibilia Meryel . .		iiij
Ricardus Ayloch, junior .		viij
Johannes Wyfford . .		iiij
Johannes Gautron . . .		viij
Henricus Holm . . .		iiij
Ricardus Trim . . . } Alicia uxor ejus . . }	ij	
Johannes Scherwy . .		xij
. . . . . Meryel . . .		xij
Johannes Kyneyston .		xij
Walterus Calle . . } . . . . . uxor ejus . . }	ij	
Katerina Bele . .		xij
Ricardus Calve . .		xij
Johannes Lyly . .		xij
Ricardus Ayloch, senior .		xij
Johannes Ketyl . . } . . . . . uxor ejus . . }	ij	
Johannes Aylnot . .		xij
Johannes Dey . .		xij

Summa nominum, lxxi
Summa denariorum, lxxis.

[$\frac{180}{49}$ & $\frac{180}{34}$ Lay Subsidy Suffolk]

Hec indentura tripartita facta inter Willielmum de Tendrynge chivaler et socios suos assessores et contra-irrotulatores ultimi subsidii domino Regi concessi videlicet

de quâlibet personâ laicâ tres grotas anno regni regis ejusdem quarto ex unâ parte et Willielmum de Rosshebrok et socios suos collectores dicti subsidii ex alterâ parte et Simonem le Smyth Johannem Shortnekke Johannem Hybele Johannem le Bole Johannem Wysman et Johannem Cressener constabularios et subcollectores ville de Brokleygh cum Reede ex terciâ parte de numero et nominibus subscriptis et de gradu et statu eorundem videlicet.

VILLA DE BROKELE CUM REDE THYNGHOWE

Armiger	*s.*	*d*
Willielmus de Walsham . Elizabeth uxor ejus .	vj	
Agricole		
Johannes de Somerton . Beatrix uxor ejus . .	v	vj
Johannes Shortnekke . Beatrix uxor ejus . .	ij	vj
Thomas Alston . . Caterina uxor ejus . .	ij	vj
Galfridus Alisander . Agneta uxor ejus . .	ij	vj
Simon Aubry . . Johanna uxor ejus . .	ij	
Artifices		
Simon Smyth, *faber* . Idonia uxor ejus . .	ij	iiij
Johannes Bole, *brasiator* . Alicia uxor ejus . .		xx
Willielmus Walspryng, *sherman* . . . Johanna uxor ejus . .	ij	
Johannes Mayhew, senior Isabella uxor ejus . .	ij	
Johannes le Grom, *brasiator* . . . Margeria uxor ejus . .	ij	
Robertus Sourale, *webbestere* . . .		xij
Johannes Wrytgh, *carpenter* . . . Isabella uxor ejus . .	ij	
Johannes Hibele, *pedder* . Caterina uxor ejus . .	ij	
Johannes Wysman, *carpenter* . . . Petronilla uxor ejus .	ij	

Laboratores	*s.*	*d.*
Johannes Mayhew, junior, *laborer* . . . Alicia uxor ejus . .		xviij
Johannes Sculton, *laborer* Agneta uxor ejus . .		xviij
Johannes . . . ag, *laborer* Alicia uxor ejus . .		xvj
Galfridus Soneman . Semila uxor ejus . .	ij	iiij
Servientes		
Johannes Baronn, *carucarius* Willielmi de Brokleygh . . . Alicia uxor ejus . .	ij	
Stephanus Gardener, *serviens* Johannis de Rokwode . . . . Johanna uxor ejus . .	ij	
Johannes Styward, *serviens* persone de Brokleygh . Margeria uxor ejus . .		xviij
Johannes Wotton, *serviens* Cecilia uxor ejus . .	ij	
Ricardus Shortnekke, *bercarius* Willielmi le Hore Alicia uxor ejus . .		xviij
Willielmus Sonem . . . , *serviens* . . . Isabella uxor ejus[1] . .		
Ricardus Meller, *serviens* W. le Hore . . Anna uxor ejus . .	ij	
Johanna Fouke, *serviens* Ricardi Fouke . .		xij
Johannes Alisander, *shepherde*, mortuus est .		xij

[1] The subsequent part of this document is in the parcel marked $\frac{180}{34}$.

Servientes (cont.)	*s.*	*d.*	*Servientes (cont.)*	*s.*	*d.*
Willielmus Lyng, *serviens* Simonis le Smith .		vi	. . . . bel filia et *serviens* dicti Johannis . .		iiij
Ricardus . . . llin, *serviens* Willielmi de Walsham		viij	Walterus . . .		iiij
. . . , *serviens* Willielmi de Brokleygh . .		x	Simon Shepherd, *serviens* dicti Johannis . .		iiij
Johannes Gardoner, *serviens* Johannis de Rokwode		x	Caterina Freman, *serviens* Thome Alston . .		iiij
Isabella Bole, *vannator et serviens* . . .		viij	Johannes Mayhew, *serviens* W. Hore . .	ij	
. . . . Shortnekke, *serviens* Johannis Shortnekke . . .		iiij	Caterina uxor ejus . .		
Johannes filius Johannis de Somerton . .		iiij	Johannes Cressener, *carucarius* . . . . Brokleygh		xx
			Amicia uxor ejus . .		
			Walterus Neng, *serviens* in Villa . . .		xii
			Johannes filius et *serviens* Johannis Wysman .		vi

Summa personarum, lxx
Summa denariorum, lxx*s.*

[180/49 Lay Subsidy Suffolk]

HUNDREDUM DE THYNGOWE

Villa de Chewyngton

Hec indentura tripartita facta inter Willielmum Tendryng Chivaler et socios suos assessores et contra-irrotulatores ultimi subsidii domino Regi concessi videlicet de quâlibet personâ laicâ tres grotas anno regni ejusdem quarto ex unâ parte et Willielmum de Rosschebrok Chivaler et socios suos collectores dicti subsidii et alterâ parte Johannem Cartere Willielmum Pumpyn Willielmum Martyn Robertum Mayhew constabularios et subcollectores ejusdem subsidii ville de Chewyngton ex terciâ parte de numero et de nominibus subscriptis et de gradu et statu eorundem.

VILLA DE CHEVYNGTON

Agricola	*s.*	*d.*	*Artifices (cont.)*	*s.*	*d.*
Johannes Peke . .	ij		Johannes Sped, *webstere* . Johanna uxor ejus . .	ij	
Artifices			Willielmus Coupere, *broustere*	ij	
Michaelus Writhe, *carfenter*. . . . Johanna uxor ejus . .	ij		Sabbe uxor ejus . .		
			Willielmus Fuller, *fuller* Isabella uxor ejus . .	ij	

Laboratores	s.	d.
Johannes Cartere . . / Margareta uxor ejus . }	ij	
Willielmus Pumpyn . / Sabbe uxor ejus . . }	ij	
Willielmus Martyn . / Alicia uxor ejus . }	ij	
Robertus Mayhew . . / Agneta uxor ejus . }	ij	
Johannes Russyn . . / Alicia uxor ejus . }	ij	
Johannes Osbern . . / Margareta uxor ejus . }	ij	
Willielmus Dicere . / Johanna uxor ejus . }	ij	
Johannes Smalwode . / Isabella uxor ejus . }	ij	
Henricus Mayster . . / Margareta uxor ejus . }	ij	
Johannes Tyle . . / Ebota uxor ejus . }	ij	
Salamon Melk . . / Alicia uxor ejus . }	ij	
Johannes Page . . / Julia uxor ejus . }	ij	
Robertus Lane . . / Alicia uxor ejus . }	ij	
Robertus Hardfot . / Margareta uxor ejus . / Jonannes Cawynham . / Johanna uxor ejus . }	ij	

Laboratores (cont.)	s.	d.
Willielmus Chyld . . / Margareta uxor ejus . }	ij	
Willielmus Fot . .		xij
Alicia Nicole . . .		xij
Servientes		
Agneta Osburn . .		xij
Ehud Deye . . .		xij
Robertus Spak . .		xij
Alicia Stonham . .		xij
Matilda Meller . .		xij
Willielmus Pumpyn, junior		xij
Johannes Tornor . .		xij
Johannes Redynhale .		xij
Marion Attemer . . / Johannes Fa is . . }	ij	
Elena Hamind . .		xij
Rosa Ide . . .		xij
Agneta Mery . . .		
. . . . elle		xij
Henricus Bernerewe .		xij
Johannes Deye . .		
Rosa uxor ejus . .		
Johannes Nottynge . .		
Johannes Hoo . . / Johanna uxor ejus . . }	ij	

(remainder of Roll gone)

[180/43 Lay Subsidy Suffolk]

HUNDREDUM DE THYNGHOWE

Villa de Flempton

Hec indentura tripartita facta inter Willielmum de Tendryng chivaler et socios suos assessores et contra-rotulatores ultimi subsidii domino regi concessi videlicet de quâlibet personâ laicâ tres grotas anno regni regis ejusdem quarto ex unâ parte et Willielmum de Russhebrok chivaler et socios suos collectores dicti subsidii ex parte alterâ et Edmundum Edryck et Johannem Bele subcunstabularios et Johannem Mayhew Johannem Walhous Subcollectores ville de Flempton ex tercîâ parte de numero et nominibus subscriptis et de gradu et statu eorundem videlicet.

VILLA DE FLEMPTON

Servientes	*s.*	*d.*	*Augrecole (cont.)*	*s.*	*d.*
Willielmus West		iiij	Isabella uxor ejus		xviij
Johanna uxor ejus		iiij	Willielmus Peyton	ij	
Johannes West		xvi	Emma uxor ejus	ij	
Ricardus Dun		xii			
Margareta uxor ejus		xii			
Willielmus Gosse		xii	*Laboratores*		
Alicia uxor ejus		xii	Robertus Clere		iiij
Alexander Saylour		xii	Johanna uxor ejus		iiij
Agneta Wade	ij		Thomas Sare		iiij
Johannes Bele		xii	Johannes Barat		iiij
Agneta uxor ejus		xii	Edmundus Chapeleyn		iiij
Robertus Donne		xii	Willielmus Pope		xviii
			Agneta uxor ejus		xviii
Augrecole			Johannes Ber		xii
Johannes Welhous		xviii	Isabella uxor ejus		xii
Alicia uxor ejus		xviii	Margareta Dun		iiij
Johannes Hemysby		xviii	Alicia Clement		iiij
Matilda uxor ejus		xviij	Margareta Goche		iiij
Edmundus Edryk		xviij	Agneta Saylour		iiij

Nomina personarum, xxxiij
Summa denariorum, xxxiij*s.*

[184/49 Lay Subsidy Suffolk]

HUNDREDUM DE TYNGHOWE

Villa de Fornham omnium Sanctorum

Hec indentura tripartita facta inter Willelmum Tendryng Chivaler et socios suos assessores et contra-irrotulatores ultimi subsidii domino Regi concessi videlicet de quâlibet personâ laicâ tres grotas anno regni ejusdem quarto ex unâ parte et Willielmum Rosschebrok chivaler et socios suos collectores dicti subsidii ex parte alterâ Walterum Payn Thomam Payn Hugonem Mason Willielmum Chapman constabularios et subcollectores ejusdem subsidii ville de Fornham omnium sanctorum ex terciâ parte de numero et nominibus subscriptis et de gradu et statu eorundem videlicet.

Agrecola	*s.*	*d.*	*Laboratores*	*s.*	*d.*
Robertus Batisfforde	iij		Walterus Payn, *browster*	ij	
Mabbilia uxor ejus			Alicia uxor ejus		

Laboratores (cont.)	s.	d.
Johannes Colkyrke, *browster*	ij	
Agneta uxor ejus . .		
Galfridus Angold . .		xij
Hugo Mason . .	ij	
Christiana uxor ejus .		
Willielmus Schapman .	ij	
Margeria uxor ejus .		
Johannes Bettys . .		xij
Artifices		
Thomas Payn . .	ij	
Matilda uxor ejus . .		
Johannes Walcard, *barker*	ij	
Emma Walcard mater ejus		
Henricus Smyth, *faber* .		xij

Artifices (cont.)	s.	d.
Nicholaus Smith, *faber* .		xij
Walterus Taylor . .		xij
Johannes Wodecok, *taylor*		xij
Robertus Calf . .		xij
Johannes Wrythe . .		xij
Servientes		
Alicia Dockynge . .		iiij
Sarra Calf . . .		viij
Ricardus ate Brygge .		xij
Johannes ate Fen . .		xij
Johannes Warde . .		xij
Stephanus Storych .		xij
Johannes Angold . .		xij
Adamus Roggere . .		xij
Galfridus Horn . .		xij
Ive Warde . . .		xij

Summa nominum, xxxij
Summa denariorum, xxxij*s.*

[180/49 Lay Subsidy Suffolk]

HUNDREDUM DE THYNGHOWE

Villa de Hardgrave

Hec indentura tripartita facta inter Willielmum Tendrynge chivaler et socios suos assessores et contra-irrotulatores ultimi subsidii domini Regis ei concessi videlicet de quâlibet personâ laicâ tres grotas anno regni ejusdem quarto ex unâ parte et Willielmum Rosshebrok chivaler et socios suos collectores dicti subsidii ex alterâ parte Robertum Hoketon Adamum Anable Johannem Frost Walterum Anable subcollectores dicti subsidii ville de Hargrave ex terciâ parte de numero et de nominibus subscriptis de gradu et statu eorundem.

Laboratores	s.	d.
Robertus Hoketon .	ij	
Emme uxor ejus . .		
Adamus Anable .	ij	
Cissilia uxor ejus .		
Johannes Frost .	ij	
Alicia uxor ejus .		
Johannes Thurgor .	ij	
Alicia uxor ejus .		
Walterus Anable .	ij	
Alicia uxor ejus .		

Laboratores (cont.)	s.	d.
Walterus Riche . .	ij	
Margeria uxor ejus .		
Johannes Nicole .	ij	
Alicia uxor ejus .		
Rogerus Algi .	ij	
Margeria uxor ejus .		
Robertus Kyppynge .	ij	
Alicia uxor ejus .		
Ricardus Page .	ij	
Johanna uxor ejus. .		

Laboratores (cont.)	s.	d.	*Laboratores (cont.)*	s.	d.
Robertus Anable . . }			Ricardus Chawseler . }		
Agneta uxor ejus . . }	ij		Alicia uxor ejus . . }	ij	
Willielmus de Kent . }					
Johanna uxor ejus. . }	ij				
Johannes Page . . }			*Artifices*		
Alicia uxor ejus . . }	ij		Willielmus Carpon, *taylor* . . . . }		xij
Johannes Kyppynge . }			Emme uxor ejus . . }		
Isabella uxor ejus . . }	ij		Willielmus Powgwene,		
Ricardus Tankard . }			*brewstere* . . . }	ij	
Agneta uxor ejus . . }	ij				
Thomas Smith . .		xij	Caterina uxor ejus . }		
Alicia uxor ejus . .		xij	Robertus Parys . .		xij

Summa nominum, xxxix

[180/49 Lay Subsidy Soffolk]

HUNDREDUM DE TYHYNGOWE

Villa de Hawsted[1]

Hec indentura tripartita facta inter Willielmum Tendrynge Chivaler et socios suos assessores et contra-irrotulatores ultimi subsidii domino Regi concessi videlicet de quâlibet personâ laicâ tres grotas anno regni regis ejusdem quarto ex unâ parte et Willielmum Roschebroke Chevaler et socios suos collectores dicti subsidii ex parte alterâ Johannem Moryel Willielmum Walkelynge Johannem Boydyn Johannem Warde constabularios et collectores ejusdem subsidii ville de

[1] From an extent of the manor of Hawsted, it appears that there were at Hawsted in 1358, thirty 'libere tenentes,' two of whom lived at Bury, and eleven 'nativi.' The former class held only 104½ acres between them, many apparently not holding any land at all, while the latter class held 146½ acres. On comparing these figures with the poll tax record, we find that the number of householders given there as laboratores and artifices together is twenty-six, and that of the servientes eleven, a coincidence of numbers which seems to point to the use of the word servientes in the poll tax as equivalent to 'nativi,' and that the laboratores and artifices corresponded very much to the 'libere tenentes' of the manors. On comparing the names in the two documents, one is struck at once by the great change which had taken place in them, for of the thirty 'libere tenentes' in 1358 only four, viz. John Ward, John Boydyn, John Kertlyng, and William Walklynge appear in the poll tax, and of the eleven nativi only one, Thomas Frame, remains. Such a change, I think, can only be accounted for on the supposition that this parish was subjected to a very severe visitation of the plague in 1361 or 1369.

Hawsted ex terciâ parte de numero et nominibus subscriptis et de gradu et statu eorundem.

Agricola	s.	d.
Johannes atte Grene	ij	
Laboratores		
Walterus Bernard, Agneta uxor ejus	ij	
Petrus Ward, Alicia uxor ejus	ij	
Emma Gekes		xij
Alicia Clark		xij
Edmundus Stonham, Ebote uxor ejus	ij	
Johannes Pypere, Matilda uxor ejus	ij	
Johannes Fullere, Elena uxor ejus	ij	
Johannes Godhall		xij
Johannes Cokeman, Agneta uxor ejus	ij	
Johannes Boydyn, Emma uxor ejus	ij	
Johannes Certlenge		xij
Ricardus Kes, Katerina uxor ejus	ij	
Sandre Ide, Isabella uxor ejus	ij	
Johannes Ward, Claricia uxor ejus	ij	
Johannes Deye, Alicia uxor ejus	ij	
Johannes Benyth		xij
Johannes Wastel, Leticia uxor ejus	ij	
Katerina Wele		xij
Johannes Heyward, Alicia uxor ejus	ij	

Laboratores (cont.)	s.	d.
Johannes Hebyl, Katerina uxor ejus	i	
Johannes Moryel, Alicia uxor ejus	ij	
Willielmus Walkelynge, Margareta uxor ejus	i	
Johannes Wryte, *carpentarius*		xij
Willielmus Smyth, *faber*, Rosa uxor ejus	ij	
Johannes Fouke, *faber*	ij	
Robertus Hart, *webstere*, Emma uxor ejus	ij	
Servientes		
Johannes Clerk		xij
Johannes Heyward, Elsete uxor ejus	ij	
Johannes Tyby, Johanna uxor ejus	ij	
Willielmus Cokerel, Isabella uxor ejus	ij	
Willielmus Clerk, Ebete uxor ejus	ij	
Thomas Frame, Matilda uxor ejus	ij	
Thomas Mower		xij
Cristina uxor ejus		xij
Claricia Hoppere		xij
Amy Deye		xij
Simon Mors		xij
Katerina Norfolke		xij

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HUNDREDUM DE THYNGHOWE

Villata de Hemgrave

Hec indentura tripartita facta inter Willielmum de Tendringge chivaler et socios suos assessores et contra-rotulatores ultimi subsidii domino Regi concessi videlicet de quâlibet personâ laicâ tres grotas anno regni regis ejusdem quarto ex parte unâ et Willielmum de Rosshebrok chivaler

et socios suos collectores dicti subsidii ex parte alterâ et Willielmum atte Crouch Nicholaum atte Heth subconstabularios et Robertum Fulhond Edmundum Bogeys subcollectores ejusdem subsidii ville de Hemgrave ex terciâ parte de numero et nominibus subscriptis et de gradu et statu eorundem videlicet.

Armiger	*s.*	*d.*
Thomas Hemgrave		vij
Servientes		
Robertus le Qwte		x
Margeria uxor ejus		x
Johannes Barkere		x
Margareta uxor ejus		x
Robertus le Qwyte		vi
Agneta uxor ejus		vi
Johannes Clement		xij
Margareta uxor ejus		xij
Johannes Bogeys		vj
Sarra uxor ejus		vj
Robertus Fulhond		ix
Beatrix uxor ejus		ix
Willielmus Dawe		vi
Walterus Brese		vij
Dulcia Bullok		ix
Robertus Angold		xij
Beatrix uxor ejus		xij

Laboratores	*s.*	*d.*
Petrus Sebourgh		viij
Benedictus Wynyeve		viij
Robertus West		vj
Alicia uxor ejus		vj
Johannes Langham		xviij
Caterina uxor ejus		xviij
Jacobus Trenchemere		xij
Alicia le Smyth		xij
Laurence Wysman		vj
Alicia uxor ejus		vj
Thomas Bayly		iiij
Nicholaus atte Heth		viij
Alicia uxor ejus		viij
Willielmus atte Crouch		xviij
Margeria uxor ejus		xviij
Edmundus Bogeys		viij
Beatrix uxor ejus		viij
Agricola		
Galfridus Clement	ij	

Summa nominum, xxxvi
Summa denariorum, xxxvis.

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HUNDREDUM DE THYNGOWE

Villa de Hornyngeserth Magna

Hec indentura tripartita facta inter Willielmum Tendrynge chivaler et socios suos assessores et contra-irrotulatores ultimi subsidii domini Regis ei concessi videlicet de quâlibet personâ laicâ tres grotas anno regni ejusdem quarto ex unâ parte et Willielmum Rosschebrok chivaler et socios suos collectores dicti subsidii ex alterâ parte Johannem Bricete Johannem Dane Galfridum Wepstede Robertum Gobet constabularios et subcollectores ejusdem subsidii ville de Hornyngeserth Magna ex terciâ parte de numero et nominibus subscriptis de gradu et statu eorundem.

[*Artifices*]	*s.*	*d.*
Robertus Gobet, *draper*	iij	
Alicia uxor ejus		
Michaelus Gos, *carpenter*	ij	iiij
Alicia uxor ejus		
Robertus Prest, *carpenter*		xij
Laboratores		
Johannes Dane	ij	
Alicia uxor ejus		
Johannes Brycete	ij	
Johanna uxor ejus		
Galfridus Wepstede	ij	
Agneta uxor ejus		
Johannes Bare	ij	iiij
Isabella uxor ejus		
Thomas Coupere	ij	
Margeria uxor ejus		
Symon Jent		xij
Benedictus Knyth	ij	
Johanna uxor ejus		
Willielmus Brend	ij	
Johanna uxor ejus		
Johannes Busschop	ij	iiij
Cristina mater ejus		
Alanus Noble	ij	viij
Katerina uxor ejus		
Nicholaus Gandawe	ij	
Johanna uxor ejus		

Servientes	*s.*	*d.*
Johannes Alysaw		viij
Johanna Fyssche		viij
Robertus Boyler		viij
Adamus Godefrey	ij	
Katerina uxor ejus		
Edmundus Kynch		xij
Johannes Godefrey		viij
Johannes Ryngedale		viij
Robertus Asscheman		xij
Thomas Brend		xij
Willielmus Godefrey		xij
Ricardus Goos		xij
Johannes Newhawe		viij
Matilda Lewote		xij
Margeria Lewote		xij
Thomas Rose		xij
Agneta Rungeton		xij
Johannes Clerk		xij
Thomas Blok	ij	
Agneta uxor ejus		
Willielmus Driwer	ij	
Johanna uxor ejus		
Johannes Pypere		xij
Thomas Clenewalle		xij
Johannes Pye	ij	
Margaria uxor ejus		
Robertus Godefrey		xij

Summa nominum, liij
Summa denariorum, liiis.

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HORNYNGESHERTH PARVA IN HUNDREDO DE THYNGHOWE

Hec indentura tripartita facta inter Willielmum de Tendryng chivaler et socios suos assessores et contra-rotulatores ultimi subsidii domino Regi concessi videlicet de quâlibet personâ laicâ tres grotas anno regni regis ejusdem quarto ex unâ parte et Willielmum de Rosshebroke chivaler et socios suos collectores dicti subsidii ex parte alterâ [*sic*].

Augricola	*s.*	*d.*
Johannes Lacford	ij	
Emma uxor ejus	ij	
Servientes		
Robertus Hermer		xij
Rosia uxor ejus		xij

Servientes (*cont.*)	*s.*	*d.*
Thomas Lacford		xij
Caterina uxor ejus		xij
Johannes Goldynge, junior		xij
Matilda Goldynge		xij
Rogerus Gardiner		xij
Johannes Rudham		xij
Margeria uxor ejus		xij

Laboratores	*s.*	*d.*	*Laboratores (cont.)*	*s.*	*d.*
Rosia le Smyth		xij	Emma Goldynge		xiiij
Alicia Hermer		xij	Thomas Pulrose		iiij
Emma Hermer		vj	Alicia uxor ejus		iiij
Johannes Goldynge		xij	Johannes Aubry		xij
Sabina uxor ejus		xij	Emma Dun		viij

Summa personarum, xxi
Summa denariorum, xxis.

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HUNDREDUM DE THYNGHOWE

Villa de Icworth

Hec indentura tripartita facta inter Willielmum Tendryng chivaler et socios suos assessores et contra-irrotulatores ultimi subsidii domino Regi concessi videlicet de quâlibet personâ laicâ tres grotas anno regis ejusdem quarto ex unâ parte et Willielmum Rosschebrok chivaler et socios suos collectores dicti subsidii ex alterâ parte Johannem Barker Nicholaum Barker Thomam Bonys Johannem Taylor constabularios et subcollectores ejusdem subsidii de Icworth ex terciâ parte de numero et nominibus subscriptis et de gradu et statu eorundem.

Armiger	*s*	*d.*	*Laboratores (cont.)*	*s.*	*d.*
Thomas Icworth, Agneta uxor ejus	vj		Willielmus de Saxham		xij
Laboratores			Stephanus Chetebere		xij
Johannes Barker, Isabella uxor ejus	ij		Ricardus Canon, Agneta uxor ejus	ij	
Nicholaus Barkere, Alicia uxor ejus	ij		*Artifices*		
Thomas Bonys, Margeria uxor ejus	ij		Simon Canon, *browstere*, Alicia uxor ejus	ij	
Johannes Taylor, Johanna uxor ejus	ij		Petrus ate Halle		xij
Rogerus Godffrey, Matilda uxor ejus	ij		*Servientes*		
Walterus Beneyt, Johanna uxor ejus	ij		Thomas Goldeford		xij
Thomas Page, Alicia uxor ejus	ij		Agneta, *serviens* Thome Ikworth		viij
Johannes Caunceler, Alicia uxor ejus	ij		Radulphus, *serviens ejusdem*		viij
Johanna ate Park		xij	Radulphus Choke, Johannes Schabayle (*servientes domino*)		iiij, iiij
			Johannes Hary		viij

Servientes (cont.)	s.	d.
Matilda Beneyt		xij
Robertus Pye		xij
Margeria uxor ejus		xij
Johannes Tracy		vj
Willielmus Bareleg, Caterina uxor ejus	xvj	
Johannes Sayham, Amissia uxor ejus	xviij	
Willielmus Borel, Agneta uxor ejus	ij	
Thomas filius Johannis Barkere		xij
Johannes Cartere		xij
Alicia Baron		xij
Thomas Benyngton		xij
Petrus atte Halle		xij

Summa nominum, xlvij
Summa denariorum, xlviis.

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HUNDREDUM DE THUNGOW

Villa de Lakford

Hec indentura tripartita facta inter Willielmum Tendrynge chivaler et socios suos assessores et contra-irrotulatores ultimi subsidii domino Regi concessi videlicet de quâlibet personâ laicâ tres grotas anno regni regis ejusdem quarto ex unâ parte et Willielmum Rosschebrok Chivaler et socios suos collectores dicti subsidii ex alterâ parte Benedictum ate Cherche Johannem Schepperde Adamum Ate Well Johannem Flemton constabularios et subcollectores ejusdem subsidii ville de Lacforde ex terciâ parte de numero et nominibus subscriptis de gradu et statu eorundem.

Laboratores	s.	d.
Benedictus ate Sherche, Agneta uxor ejus	iij	
Johannes Schepperde, Margeria uxor ejus	iij	
Adamus ate Well, Isabella uxor ejus	ij	
Johannes Flemton, Agneta uxor ejus	ij	
Robertus Buk		xij
Willielmus Brese, Alicia uxor ejus	ij	
Johannes Cartere, Agneta uxor ejus	ij	
Willielmus the Heyr		xi
Bartolomaus Brese, Isabella uxor ejus	ij	
Johannes Kennygale, Margeria uxor ejus	ij	
Petrus Dowe, Alicia uxor ejus	ij	

Artifices	s.	d.
Radulphus Baldewene, *taylor*, Margeria uxor ejus	ij	
Simon Schordewaner, *schordewaner*, Amissia uxor ejus	ij	
Walterus Webbe, *webbe*, Ibote uxor ejus	ij	
Willielmus Thashere, *thashere*, Caterina uxor ejus	ij	
Servientes		
Johannes Page, Alicia uxor ejus	ij	
Johannes Hervy		viij
Radulphus Thommyssone, Amissia uxor ejus		xvj

Servientes (cont.)	s.	d.	*Servientes (cont.)*	s.	d.
Johannes Purstone . .	ij		Petrus Rolf . . .		xij
Matilda uxor ejus . .			Willielmus Dowe . .	ij	
Willielmus Page . .	ij		Margeria uxor ejus . .		
Johanna uxor ejus . .			Johannes Deye . .	ij	
Humfrey Mowere . .		xvj	Agneta uxor ejus . .		
Agneta uxor ejus . .			Johannes Baldewene .		viij
Nicholaus Schompayn .	ij		Johannes Tyncewyk . .		xij
Caterina uxor ejus . .			Walterus Mayster . .		xij

Summa nominum, xlix
Summa denariorum, xlix*s*.

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HUNDREDUM DE THYNGHOWE

Villa de Nowton

Hec indentura tripartita facta inter Willielmum de Tendryng Chivaler et Socios suos assessores et contra-rotulatores ultimi subsidii domino Regi concessi videlicet de quâlibet personâ laicâ tres grotas anno regni regis ejusdem quarto ex unâ parte et Willielmum de Rosshebrok Chivaler et socios suos collectores dicti subsidii ex parte alterâ [*sic*].

Augricola	s.	d.	*Laboratores*	s.	d.
Simon Serjaunt . .	ij		Nicholaus Horsecroft .		xviij
Servientes			Alicia uxor ejus . .		xviij
			Willielmus Godwene .		viij
Rogerus Sterme . .		xviij	Caterina uxor ejus . .		viij
Margeria uxor ejus . .		xviij	Johannes Norman . .		x
Johannes Welham . .		xviij	Alicia uxor ejus . .		x
Johanna uxor ejus . .		xviij	Willielmus Godfrey .		vi
Thomas le Koo . .		xij	Isabella Serjaunt . .		viij
Anna uxor ejus . .		xij	Ricardus le Koo . .		iiij
Henricus Buttre . .		xviij	Johannes Welham junior		iiij
Beatrix uxor ejus . .		xviij	Thomas Horsecroft .		viij
Alyn Sheperd . .		xij	Adamus Sterme . .		x
Matilda uxor ejus . .		xij	Johannes Pascale . .		xij
Johannes Bullok . .		xij	Johannes Ariforde . .		iiij
Alicia uxor ejus . .		xij	Christina (?) Bretthinham		ij

Summa hominum, xxviij
Summa denariorum, xxviij*s*.

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HUNDREDUM DE TYNGHOWE

Villa de Saxham Magna

Hec indentura tripartita facta inter Willelmum Tendryng Chivaler et socios suos assessores et contra-irrotulatores

ultimi subsidii domino Regi concessi videlicet de quâlibet personâ laicâ tres grotas anno regni ejusdem quarto ex unâ parte et Willielmum Rosschebrok chivaler et socios suos collectores dicti subsidii ex alterâ parte Ricardum Andrew Willielmum Doraunt, Johannem Mayster seniorem Willielmum Schot constabularios et subcollectores ejusdem subsidii ville de Saxham Magna ex terciâ parte de numero et nominibus subscriptis de gradu et statu eorundem.

Laboratores	s.	d.	*Artifices*	s.	d.
Ricardus Sannty . .	ij		Willielmus Page, *webstere*		xij
Amissia uxor ejus . .			Robertus Clerk, *taylor* .		xij
Isabella Bradley . .	ij		Robertus Cokedon, *browstere*	ij	
Ubelye filia ejus . .					
Margeria Caunseler .		xij	Alicia uxor ejus . .		
Robertus Foul . .	ij		Walterus Merel, *taylor* .		xij
Mabylye uxor ejus . .					
Johannes Mayster senior		xij	*Servientes*		
Walterus Horold . .	ij		Ricardus Deye . .		xij
Isabella uxor ejus . .			Willielmus Hermer .		xij
Ricardus Hermer . .	ij		Ricardus Caunseler .		xij
Margeria uxor ejus . .			Willielmus Adam . .		xij
Rogerus ate Hawe . .	ij		Ricardus Chestey . .	ij	
Rosa uxor ejus . .			Agneta uxor ejus . .		
Johannes Mayster junior	ij		Walterus in the lane .		xij
Agneta uxor ejus . .			Nicholas Schepperde .		xij
Alicia Mayster . .		xij	Isabella Kyppyng . .		xij
Willielmus Doraunt .	ij		Johannes Andrw . .		xij
Margeria uxor ejus . .					
Willielmus Schot . .	ij				
Johanna uxor ejus . .					
Ricardus Andrew . .	ij		Summa nominum, xxxviij		
Alicia uxor ejus . .			Summa denariorum, xxxviij*s.*		

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HUNDREDUM DE TYNGHOW

Villa de Saxham Parva

Hec indentura tripartita facta inter Willielmum Tendryng chivaler et socios suos assessores et contra-rotulatores ultimi subsidii domino Regi concessi videlicet de quâlibet personâ laicâ tres grotas anno regni regis ejusdem quarto ex unâ parte et Willielmum Rosschebrok chivaler et socios suos collectores dicti subsidii ex alterâ parte Johannem ate Hawe Willielmum Hethe Johannem Lawney Henricum Julle

constabularios et subcollectores ejusdem subsidii ville de Saxham parva ex tercià parte de numero et nominibus subscriptis et de gradu et statu eorundem.

Armigeri	s.	d
Johannes de Hethe. . } Amissia uxor ejus . . }	vj	
Rogerus Hethe . . } Johanna uxor ejus . . }	iiij	
Argrecole		
Johannes atte Hawe . } Meliora uxor ejus . . }	ij	
Johannes Lawney . . } Agneta uxor ejus . . }	ij	
Henricus Julle . . } Margeria uxor ejus . . }	ij	
Willielmus de Hethe . } Margeria uxor ejus . . }	ij	
Galfridus Warde . . } Agneta uxor ejus . . }	ij	
Johannes ate Hel . . } Alicia uxor ejus . . }	ij	
Johannes Norman . . } Liticia uxor ejus . . }	ij	
Artifices		
Johannes Smyth, *smyth* . } Margeria uxor ejus . . }	ij	
Henricus Wryth, *wrythys*. } Willielmus atte Hawe . }		xij
Willielmus Port, *tachere* .		xij
Ricardus Berd . .		viij

Servientes	s.	d.
Ricardus Coupere . .		vj
Robertus ate Hawe . } Agneta uxor ejus . . }	ij	
Stephanus Fryote . . } Mabilia uxor ejus . . }	ij	
Lenota Norman . .		xij
Edmundus Knyth . .		xij
Stephanus Calfawe . .		xij
Robertus Navys . .		iiij
Oliva Spenser . .		iiij
Sarra Schepperde . .		iiij
Stephanus Donewych .		vj
Ricardus Slawtere . .		iiij
Johannes Cartere . .		vj
Thomas Hethe . .		x
Johannes Shepperde .		xij
Margeria Ricard . .		xij
Claryssia Peytevyn . .		xij
Johannes Barwe . .		xij
Johannes Danyel . .		xij
Gilbertus Howard . . } Alicia uxor ejus . . }	ij	
Henricus Peytevyn . . } Amissia uxor ejus . . }		xij
Margeria ate Hel . .		xij
Beatrix filia Margerie Hel		xij
Johannes Holdernesse . } Johannes filius ejusdem . }	ij	
Johannes Slade . . } Caterina uxor ejus . . }	ij	
Johannes Osbern . . } . . . . uxor ejus . . }	ij	
. . . . lfus Osbern .		xij

Summa Nominum, lvij
Summa denariorum, lvijs.

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HUNDREDUM DE THYNGHOW

Villata de Rysby

Hec indentura tripartita facta inter Willielmum de Tendringe chivaler et socios suos assessores et contrarotulatores ultimi subsidii domino Regi concessi videlicet de quâlibet personâ laicâ tres grotas anno regni regis ejusdem

quarto ex unâ parte et Willielmum de Rosschebrok chivaler et socios suos collectores dicti subsidii ex alterâ parte et Simonem de Heryngwelle Jacobum Page constabularios et Johannem le Verdonn Simonem le Smyth Johannem Haukyn de Thodynham et Simonem Heryngewelle ex terciâ parte de numero et nominibus subscriptis de gradu et statu eorundem.

Servientes	*s.*	*d.*
Jacobus Page		xij
Mariota uxor ejus		xij
Alicia Bullok		xij
Johannes Heyward		xij
Caterina uxor ejus		xij
Isabella Meller		xviij
Simon Heryngewelle		xviij
Clare uxor ejus		xviij
Robertus Christemasse		xviij
Loveday uxor ejus		xviij
Edmundus Bunnynge		xij
Thomas Julle		xij
Johannes Verdon		xij
Alicia uxor ejus		xij
Johannes Hopton		ix
Alicia uxor ejus		ix
Johannes Hanlyn		xij
Beatrix uxor ejus		xij
Anna le Meller		xij
Johannes Bunynge		xij
Beatrix uxor ejus		xij
Johannes Meller		vj
Isabella atte Grene		xij
Alicia atte Grene		xij
Johannes atte Grene		vj
Thomas Haukyn		xij
Willielmus Walcard		vj
Alicia uxor ejus		vj
Alicia atte Hache		xij
Agneta atte Hache		xij

Servientes (cont.)	*s.*	*d.*
Johannes Clere		ix
Margareta uxor ejus		ix
Isabella de Wode		xij
Simon le Smyth		xij
Juliana uxor ejus		x
Willielmus Okele		xij
Rosia uxor ejus		xij
Nicholaus de Wode		xij
Alicia uxor ejus		xij
Johannes Acke		xij
Agnes uxor ejus		xij
Johannes Blek		vj
Margareta uxor ejus		vj
Walterus atte Dale		xij
Mariota uxor ejus		xij
Edmundus Taylor		xij
Laboratores		
Walterus Belamy		xij
Alicia uxor ejus		xij
Johannes Sumper	ij	
Margareta uxor ejus	ij	
Ricardus Herist junior		xij
Johannes Verdon junior		xij
Ricardus Yongwone junior		xij
Johannes Webster		xij
Edmundus atte Hache		xij
Henricus Bullok		vj
Agneta uxor ejus		vj

Summa personarum, lvij
Summa denariorum, lvij*s.*

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Villa de Westle

Hec indentura tripartita facta inter Willielmum Tendringe Chivaler & socios suos contra-irrotulatores ultimi subsidii domino Regi concessi videlicet de quâlibet personâ laicâ tres grotas anno regni ejusdem quarto ex unâ parte et Willielmum Ruschbrok chivaler et socios suos collectores dicti subsidii ex

alterâ parte et Thomam Thurmood Thomam Gyle Edmundum Amy Constabularios et subcollectores ejusdem subsidii ville de Westle ex terciâ parte de numero et nominibus.

Agricole	s.	d.
Thomas Thurmood . .	ij	
Margeria uxor ejus . .		
Thomas Gyle . . .	ij	
Isabella uxor ejus . .		
Robertus Welyngham .	ij	
Margeria uxor ejus . .		
Artifices		
Johannes Lamber, *carpenter* . . .	ij	
Johanna uxor ejus . .		
Ricardus Dye, *webstere* .	ij	
Matilda uxor ejus . .		
Laboratores		
Matilda Murwell . .		xij
Mariota Welingham .		xij
Edmundus Amy . .	ij	
Christiana uxor ejus .		
Seman de Cavenham .	ij	
Alicia uxor ejus . .		

Laboratores (cont.)	s.	d.
Johannes Bounend . .	ij	
Alicia uxor ejus . .		
Willielmus Bonde . .	ij	
Matilda uxor ejus . .		
Servientes		
Nicholaus Shepherd .	ij	
Isabella uxor ejus . .		
Thomas Buntyfeld . .	ij	
Johanna uxor ejus . .		
Ch... Julle . . .	ij	
Beatrix uxor ejus . .		
Walterus Thurmood .	ij	
Mar... uxor ejus . .		
Henricus Cavenham .	ij	
Alicia uxor ejus . .		
Edmundus Welyngham .		xij
Johannes Deth . .		xij
Thomas S...nde . .	ij	
Alicia uxor ejus . .		
Ricardus Smyht . .	ij	
Agneta uxor ejus . .		

Summa nominum, xxxvi
Summa, xxxvis.

[180/52 Lay Subsidy Suffolk]

HUNDREDUM DE THYNGHOWE

Villa de Whepsted

Hec indentura tripartita facta inter Willielmum Tendryng Chivaler et socios suos assessores et contra-irrotulatores ultimi subsidii domino Regi concessi videlicet de quâlibet personâ laicâ tres grotas anno regni regis ejusdem quarto ex unâ parte et Willielmum Rosschebrok Chivaler et socios suos collectores dicti subsidii ex parte alterâ et Ricardum Fayrchild Johannem Lamberd Walterum Cage et Robertum Pylgrey constabularios et subcollectores ejusdem subsidii de villâ predictâ ex terciâ parte de numero et nominibus subscriptis et de gradu et statu eorundem videlicet.

Artifices	s.	d.
Johannes Fleg, *carpenter*	ij	vj
Alicia uxor ejus		
Johannes Boydyn, *carpenter*		xij
Wilielmus Deye, *carpenter*	ij	vj
Amy uxor ejus		
Johannes at hel, *taylor*	ij	vj
Matilda uxor ejus		
Willielmus Norman	ij	
Matilda uxor ejus		

Laboratores		
Simon Raph	ij	vj
Johanna uxor ejus		
Walterus Mundeford	ij	vj
Beatrix uxor ejus		
Willielmus atte Moor	ij	vj
Alicia uxor ejus		
Rogerus Donyton	ij	
Alicia uxor ejus		
Christiana Dolyngham	ij	vj
Johannes filius ejus		
Ricardus Taylor	ij	
Johanna uxor ejus		
Galfridus Neith	ij	vj
Johanna uxor ejus		
Johannes Brend	ij	
Elen uxor ejus		
Johannes Pye	ij	vj
Christiana uxor ejus		
Johannes Cage	ij	vj
Rosa uxor ejus		
Petrus de Toune	ii	vj
Olive uxor ejus		

Laboratores (cont.)	s.	d.
Alicia Cage		xviij
Radulphus Menewod		xij
Ricardus Fayrchilde	ij	vj
Marion uxor ejus		
Johannes Lamberd		xij
Willielmus Cage	ij	vj
Agneta uxor ejus		
Robertus Pylgrey	ij	
Alicia uxor ejus		

Servientes		
Johannes Bulbrok	ij	
Alicia uxor ejus		
Willielmus Smyth		xij
Christiana uxor ejus		
Johannes Whytman		xviij
Margeria uxor ejus		
Johannes Tofeld	ij	
Isabella uxor ejus		
Benedictus Menewod		viij
Johanna uxor ejus		
Johannes Gyle		xviij
Johanna uxor ejus		
Willielmus Bulbrok		viij
Beatrix uxor ejus		
Edmundus Meller		iiij
Johannes Cage, junior		iiij
Johannes Parys	ij	
Isabella uxor ejus		
Rogerus Brythrem	ij	
Agneta uxor ejus		
Margeria Menewod		viij
Rogerus Wattys		iiij

[180/38 Lay Subsidy Suffolk]

VILLATA DE MILDENHALE IN HUNDREDO DE LACFORD

Hec indentura tripartita fac Willielmum de Tendryng chivaler et socios suos assessores et contra-irrotulatores ultimi subsidii domino Regi concessi videlicet de quâlibet personâ laicâ tres grotes anno regni ejusdem iiii^{to} ex unâ parte et Willielmum de Russhebrok et socios suos collectores dicti subsidii ex alterâ parte et Henricum Purs Henricum Chapman Thomam Clerk Robertum Dyke et Willielmum Greyne

constabularios et subcollectores ejusdem subsidii ex terciâ parte de numero et nominibus subscriptis et de statu et gradu eorundem videlicet.

Agricole	*s.*	*d.*
Willielmus Sopere . } Agneta uxor ejus . . }	ij	vj
Dionis Ereswell . .		xviij
Johannes Kelfynch . } Isabella uxor ejus . . }	ij	
HenricusChapman senior } Emma uxor ejus . . }	ij	vj
Katerina Walcham .	ij	
Henricus Chapman junior } Johanna uxor ejus . }	ij	vj
Simon Childreston .		xij
Simon Childreston junior } Margeria uxor ejus . }	ij	vj
Rogerus Childreston . } Beat ix uxor ejus . . }	ij	
Robertus le Reve . . } Alicia uxor ejus . . }	ij	
Willielmus Greyne . } Emma uxor ejus . . }	ij	
Johannes Everard . . } Agneta uxor ejus . . }	ij	vj
Robertus Dyk . . } Isabella uxor ejus . . }	ij	
Robertus Claver . . } Alicia uxor ejus . . }	ij	vj
Brasiatores		
Johannes Gilbonn . } Margeria uxor ejus . }	ij	vj
Willielmus Neb . . } Katerina uxor ejus . }	ij	
Thomas Clerk . . } Agneta uxor ejus . . }	ij	
Johannes Lanwade . } Katerina uxor ejus . }	ij	
Robertus Revenhal . } Elena uxor ejus . . }	ij	
Thomas Wylde . . } Agneta uxor ejus . . }	ij	
Johannes Rande . . } Elizabetha uxor ejus . }	ij	
Pannarii		
Nicholaus Partrich . } Dionisia uxor ejus . }	ij	vj
Henricus Purs . . } Margareta uxor ejus . }	ij	
Petrus Berton . . } Margeria uxor ejus . }		xviij

Artifices	*s.*	*d.*
Thomas Barker . . } Matilda uxor ejus . . }	ij	
Robertus Gennote . . } Matilda uxor ejus . . }	ij	
Johannes Webstere . } Margeria uxor ejus . }	ij	
Thomas Eton . . } Margareta uxor ejus . }	ij	
Johannes Barbour . .		xij
Johannes Gilbonn junior } Johanna uxor ejus . }	ij	
Henricus Taillor . . } Margaria uxor ejus . }		xviij
Walterus Bocher . . } Isabella uxor ejus . . }		xviij
Willielmus Coupere .		xij
Johannes Skarlet . . } Margeria uxor ejus . }	ij	
Johannes Smyth . .		xviij
Rogerus Castel . . } Margeria uxor ejus . }	ij	vj
Thomas Fenhowe . . } Alicia uxor ejus . . }	ij	
Radulphus Baxtere .		x
Johannes Page . . } Margeria uxor ejus . }	ij	
Rogerus Rondham .		xij
Adamus Cote . . } Isabella uxor ejus . . }	ij	
Petrus Messager . .	ij	
Robertus Soutere . . } Alicia uxor ejus . . }	ij	
Willielmus Mustardar . } Margeria uxor ejus . }	ij	
Robertus Smyth . . } Anna uxor ejus . . }	ij	
Johannes Lister . . } Johanna uxor ejus . }	ij	
Johannes Mannyng . } Alicia uxor ejus . }	ij	
Simon Baxtere . . } Margeria uxor ejus . }	ij	
Edmundus Elvedon . } Alicia uxor ejus . }	ij	
Johannes Webestere . } Isabella uxor ejus . }	ij	
Henricus Sadiller . . } Margeria uxor ejus . }	ij	
Thomas Fullere . . } Katerina uxor ejus . }	ij	

Artifices (cont.)	s.	d.
Robertus Waryn . .	ij	
Beatrix uxor ejus . .		
Thomas Loksmyth .		xij
Johanna uxor ejus. .		
Willielmus Baxtere .	ij	
Katerina uxor ejus .		
Simon Penne . .	ij	
Agneta uxor ejus . .		
Simon Gregory .	ij	
Isabella uxor ejus . .		
Johannes Sly . .	ij	
Beatrix uxor ejus . .		
Willielmus Cavenham .	ij	
Margeria uxor ejus .		
Willielmus Sygo . .	ij	
Agneta uxor ejus . .		
Johannes Sygo . .	ij	
Margeria uxor ejus .		
Robertus Sygo . .	ij	vi
Margeria uxor ejus .		
Johannes Thorndon .	ij	
Felis uxor ejus . .		
Robertus Goche . .	ij	
Margeria uxor ejus .		
Johannes Sly . .		xviij
Margeria uxor ejus .		
Willielmus Sly . .	ij	
Margeria uxor ejus .		
Johannes Symond .	ij	
Margeria uxor ejus .		
Thomas Northern .		xij
Anna uxor ejus . .		
Johannes Fraunceys .	ij	
Beatrix uxor ejus . .		
Willielmus Cotton .	ij	
Alicia uxor ejus . .		
Thomas Symond .	ij	
Johanna uxor ejus .		
Johannes Fremond .	ij	
Margeria uxor ejus .		
Johannes Turnay .	ij	
Johanna uxor ejus .		
Willielmus Parmater .	ij	
Alicia uxor ejus . .		
Ricardus Mulberye .	ij	
Margareta uxor ejus .		
Johannes Cotton . .	ij	
Alicia uxor ejus . .		
Johannes Taillour .		vj
Johannes Calcher .		vj
Johannes Skynner .	ij	
Willielmus Taillor .		xij
Willielmus Webster .		xij
Johannes Taillour .		xij
Servientes		
Petrus *serviens* W. Neb		vj

Servientes (cont.)	s.	d.
Robertus *serviens* Johannis Smyth . . .		xij
Cecilia Souter . .		xij
Johannes *serviens* H. Purs		iiij
Johannes *serviens* W. Sopere . . .		vj
Johannes Brownyng .		vj
Margareta Ally . .		xij
Margeria *serviens* Johannis Chil treston .		vj
Henricus Petrisburg .		iiij
Amabilia Brethenham .		iiij
Alicia Gundel . .		iiij
Emma Ally . . .		iiij
Robertus Kirkowe . .		iiij
Johannes Borel . .		iiij
Alicia *serviens* K. Walcham . . .		viij
Petrus Hardy . .		iiij
Margeria *serviens* W. Benet . . .		iiij
Ricardus Brid . .		iiij
Constancia Kytebote .		iiij
Etheldreda Elyman .		iiij
Thomas Cote . . .		xij
Katerina Soutere . .		xij
Johannes *serviens* H. Purs		vj
Robertus *serviens* J. Kelfynch . . .		vj
Margeria Succlyng . .		vj
Margeri aHy		xij
Johannes filius Adami		xij
Katerina Elmham . .		xij
Katerina Cake . .		ij
Johannes Pykrel . .		ij
Em		ij
Cecilia . . . . Bullok .		ij
Johanna . . . . yte .		ij
Johannes *serviens* T		xij
Thomas filius		xij
Rogerus Sygo . .		xij
Laboratores		
Robertus Gilbert . .	ij	
Alicia uxor ejus . .		
Johannes Hoot . .		xviij
Johanna uxor ejus . .		
Johannes Cotton . .	ij	
Cecilia uxor ejus . .		
Johannes Legt . .		
Agneta uxor ejus . .		
Ricardus Odam . .	ij	
Margareta uxor ejus .		

Laboratores (*cont.*)	*s.*	*d.*
Robertus Morle . .	ij	
Sarra uxor ejus . .		
Radulphus Fouldon .	ij	
Margeria uxor ejus . .		
Willielmus Thacher .		xij
Willielmus Kent . .		xij
Willielmus Fisher . .	ij	
Johanna uxor ejus . .		
Philippus Ged . .	ij	
Alicia uxor ejus . .		
Etheldreda Wayte . .		xij
Cecilia Cotton . .		xij
Robertus Langemere .		xij
Johannes Redere . .		xviij
Alicia uxor ejus . .		
Johannes Catelyn . .		xij
Johanna Skynner . .		xij
Thor		viij
Rogerus B . . . . rd .		xviij
Johannes Algood . .	ij	
Leticia uxor ejus . .		
Johannes Bernard . .		xij
Johannes Costyn . .		xij
Johannes Tollote . .		xij
Margeria uxor ejus . .		
Ricardus Halstede . .		xij
Margeria Elveden . .		xij
Agneta le Hyne . .		xij
Willielmus Prat . .		xij
Margeria uxor ejus . .		
Ricardus Gennote . .	ij	vj
Beatrix uxor ejus . .		
Johannes Gennote . .		xij
Johannes Lardy . .	ij	vj
Agneta uxor ejus . .		
Johannes Ally . .		xij
Petrus Coneynhton .		xij
Robertus Millere . .		xij
Willielmus Martyn .		xij
Thomas Miller . .		vj
Ricardus Bambonn .		xij
Johanna uxor ejus . .		
Johanna Succlyng . .		xij
Margeria filia ejus . .		xij
Margeria Succlyng . .		xij
Adamus Chadenhalk .	ij	viij
Beatrix uxor ejus . .		
Johannes filius ejus . .		viij
Robertus filius ejus . .		viij
Enota le Hyne . .		xij
Willielmus le Hyne .	ij	
Beatrix uxor ejus . .		
Johannes Childreston .	ij	vj
Alicia uxor ejus . .		
Reginaldus Tyd . .	ij	
Cecilia uxor ejus . .		
Willielmus Miller . .		xij

Laboratores (*cont.*)	*s.*	*d.*
Johannes Place . .	ij	
Katerina uxor ejus . .		
Etheldreda Goldwyn .		xij
Johannes Golwyn . .		xij
Radulphus Thaccher .	ij	
Isabella uxor ejus . .		
Emma Elmham . .		xij
Willielmus Hallested .		xij
Ricardus de Berton . .		xij
Willielmus Hamond .	ij	
Agneta uxor ejus . .		
Adamus Playford . .	ij	
Johanna uxor ejus . .		
Robertus Holm . .	ij	
Agneta uxor ejus . .		
Serjiantes de payes		
Radulphus de Walcham .	x	
Walterus Beneyt . .	x	
Matilda uxor ejus . .		
Laboratores		
Rogerus		xij
Willielmus		xij
Johannes Fenhow . .		xij
Johannis H		
Gilbertus S . . . . ake .		
. . . . .		
. . . . .		xij
Willielmus Cake . .		xij
Symon Tymeworth . .	ij	
Matilda uxor ejus . .		
Ricardus Felyrs . .	ij	
Agneta uxor ejus . .		
Willielmus Wright . .		xij
Bertholomaus Tyby .	ij	
Johanna uxor ejus . .		
Johannes Hallested .	ij	
Anna uxor ejus . .		
Walterus Cole . .		xij
Ricardus Cole . .		xij
Alexander Cole . .	ij	
Agneta uxor ejus . .		
Johannes Costyn . .	ij	
Matilda uxor ejus . .		
Ricardus Penne . .	ij	
Alicia uxor ejus . .		
Galfridus Penne . .	ij	
Katerina uxor ejus . .		
Johannes Bullok . .		xij
Matilda Aunsel . .		xij
Julia le Swon . . .		xij
Rogerus Man . . .		xij
Cecilia uxor ejus . .		

Laboratores (*cont.*)	*s.*	*d.*
Alicia Grigory		xij
Johannes Gregory		xij
Hamo Childreston		xij
Agneta uxor ejus		
Johannes filius S. Childreston		viij
Edmundus frater ejus		viij
Johanna soror ejus		viij
Thomas Sly	ij	
Agneta uxor ejus		
Johannes Mildeman	ij	
Margeria uxor ejus		
Johannes Dawes	ij	
Johanna uxor ejus		
Edmundus Dawes	ij	
Agneta uxor ejus		
Willielmus Symon	ij	
Agneta uxor ejus		
Johannes Swage		xij
Petrus Mayner	ij	
Walterus Wryght	ij	
Margeria uxor ejus		
Willielmus Mariot	ij	
Alicia uxor ejus		
Rogerus Rolf		xviij
Cecilia uxor ejus		
Henricus Morle	ij	
Isabella uxor ejus		
Henricus Harg....		viij
Thomas Morle		
Agneta uxor ejus		
Galfridus Langmere	ij	
Agneta uxor ejus		
Willielmus Ratlesden	ij	
Margeria uxor ejus		
Johannes Penyman		xij
Johannes Wylde	ij	
Agneta uxor ejus		
Johannes Bernygham		xviij
Johanna uxor ejus		
Johannes Berton		xviij
Robertus Symond		xviij
Alicia Sly		xij
Johannes Co...er	ij	
Matilda uxor ejus		
Willielmus Thurston	ij	
Alicia uxor ejus		
Johannes Messager	ij	
Johanna uxor ejus		

Laboratores (*cont.*)	*s.*	*d.*
Robertus Hulet	ij	
Agneta uxor ejus		
Willielmus....	j	
Henricus....		xij
Robertus....		xij
Maria Hyne		xij
Johannes Fisher		xij
Johannes Ty...		iiij
Johannes Watton	ij	
Margeria uxor ejus		
Johannes Parmeter		xij
Johanna Symond		xij
Johannes Beconn		xij
Robertus Aleyn		xij
Margeria Gardener		
Etheldreda Algood		xij
Alicia Skynnere		xij
Robertus Reymond		xij
Simon Mekke		xij
Thomas *serviens* W. Mustarder		xij
Margeria le Smyth		xij
Willielmus Thresshere		xij
Martinus Wylkok		xij
Johanna *serviens* W. Sopere		vj
Johanna Halstede		xij
Johannes Tymworth		xij
Beatrix Gundel		iiij
Alicia filia Ricardi Penne		xij
Willielmus Pyteman		iiij
Alanus le Man		xij
Thomas Pyteman		vj
Emma *serviens* H. Chapman		vj
Thomas Attebregge		xij
Thomas Mayner		xij
Johannes Bronewyn		xij
Beatrix *serviens* ....der		xij
Willielmus Hubert		xij
Johannes Hert		xij
Thomas Reche		xij
Robertus filius R. Reve		xij
Robertus Marchand		xij
Willielmus ....sel		xij
Thomas Sygo		xij
S... Messager		xij
Thomas Thaccher		xij
Isabella Messager		xij
Johannes Cook		xij

Summa, xix*li.* xviij*s.*

THE INQUISITION OF 1517. INCLOSURES AND EVICTIONS

EDITED FROM THE LANSDOWNE MS. I. 153. BY I. S. LEADAM, M.A.

PART III

LONDON AND SUBURBS

INTRODUCTION

THIS return is plainly a mere fragment. The page on the Lansdowne MS. is without a heading and is bound up between the Isle of Wight and part of Staffordshire. Some of the small inclosures recorded would be with a view to future building, and altogether these entries, which seem principally to refer to the east side of London, are of little value as enabling us to estimate the magnitude of the agricultural revolution. As towns increase in size, fresh areas of land are naturally taken for accommodation land by butchers &c. Such areas would be returned as conversions to pasture. The following extract is interesting in this connexion.

An. Dom. 1513. An. Reg. 5.

This yeare the citizins of London, finding themselues greeued with the inclosures of the common fields about Islington, Hoxton, Shorditch, and other places neere to the citie, whereby they could not be suffered to exercise their bowes, nor other pastimes in those fields, as before time they had bene accustomed, assembled themselves on a morning, and went with spades and shouels vnto the same fields, and there (like diligent workmen) so bestirred themselves

that within a short space all the hedges about those townes were cast downe, and the ditches filled. The kings councell comming to the graie friers, to vnderstand what was meant by this dooing, were so answered by the maior and councell of the citie, that the matter was dissembled: and so when the workemen had doone their worke, they came home in quiet maner, and the fields were neuer after hedged.[1]

[1] Holinshed's *Chron.* vol. iii. p. 599. (London, 1808.)

THE INQUISITION FOR LONDON AND SUBURBS

(Lansd. MS. I. fo. 177, 178)

P. 43.—'Johannes arlyngton de eadem gentleman infra tempus predictum inclusit decem acras terre arrabilis in campo predicto infra villam.'

This entry shows that the record as to London is merely fragmentary. 'de eadem,' *i.e.* civitate.

The phrase 'infra villam' indicates Hackney (cp. John Grey's inclosure, *infra*).

The acreage of the parish of Hackney, according to a survey of 1765, was 3,227 acres 1 rood 3 poles. The manor of Hackney was held by the bishops of London (Robinson, 'Hist. of Hackney,' London, 1842, i. 6, 303).

'Willelmus Worseley de eadem Clericus infra tempus predictum inclusit octo acras terre arabilis vocate copis nanger downe infra villam predictam in tenura Rogeri Grauntoft.'

The word 'downe' suggests Hackney, well known for its 'downs,' as the villa in question; but I can find no mention of such a place in Robinson; nor does Worseley appear as one of the clergy here (Robinson, ii. 151–2).

'The common lands in this parish consist of three portions and are differently situated as to locality, viz.: First, Hackney Marsh, which is all pasture, 365 acres. Secondly, London Fields, ditto, 30 acres. Thirdly, Hackney Downs, formerly pasture but now arable, 50 acres' (Robinson, i. 76).

These small inclosures were more probably by freeholders or copyholders than by lords of manors.

'Johannes Goodwyn de eadem yoman infra tempus

predictum inclusit vij acras terre arabilis in tenura Rogeri Grauntoft.'

'Willelmus Austen de eadem yoman infra tempus predictum inclusit vij acras terre arabilis in Darlestenfelde infra villam predictam in tenura Ricardi Bayly.'

Darlesten, otherwise Dorleston or Dalston (Robinson, i. 5).

'Johannes Grey de eadem yoman inclusit vnam acram & vnam rodam terre arabilis in quodam campo vocato londonfeld infra villam predictam in tenura Ricardi Grenewood.'

'Johannes Barrynge de eadem yoman infra tempus predictum inclusit vndecim acras terre arabilis in Blakeheth infra villam predictam.'

'Johannes Elryngton de eadem yoman infra tempus predictum inclusit tres acras terre arabilis in Danserlane infra villam predictam.'

'Thomas Grenyng de Shordyche yoman infra tempus predictum inclusit sex acras terre in quodam campo vocato le hyde infra villam predictam.'

'The common field there called the Hyde' ('Survey of the Manors of Stebunhethe and Hackney in the co. of Middlesex,' July 4, ed. 6; Robinson, i. 333). It contained 'by estimation twenty-five acres of land and pasture' (*ibid.* p. 336).

'Thomas Grenyng infra tempus predictum inclusit sex acras terre arabilis iacentis in campo predicto infra villam predictam.'

'Johannes hosyer de Stepeneth marchaunt infra tempus predictum inclusit sex acras terre arabilis iacentis in campo vocato le Estfeld infra villam predictam.'

The name 'the East field' recalls the ancient co-operative agriculture. (See I. Taylor in 'Domesday Studies,' p. 146.)

'Willelmus Aleyn de eadem infra tempus predictum inclusit duas acras terre arabilis in campo predicto modo in tenura episcopi Londoniensis.'

P. 44.—'Thomas polyng de hakeney yoman inclusit sex acras terre arabilis iacentis in londonffeld infra villam predictam.'

'Thomas Burgan nuper de parochia de Shordyche gentleman infra tempus predictum inclusit octo acras terre iacentis in campo predicto infra villam predictam.'

'Willelmus Coppefeld de eadem yoman infra tempus predictum inclusit novem acras terre arabilis iacentis in campo predicto infra villam predictam.'

'Willelmus Grene de eadem yoman infra tempus predictum inclusit quinque acras terre arabilis in campo predicto infra villam predictam.'

'Ricardus Cressall prior hospitalis beate Marie extra Bysshoppesgate london infra tempus predictum inclusit centum acras terre iacentis in campo predicto infra villam predictam.'

R. C. became prior in 1484, and held the office in 1515 (Dugdale, 'Monast.' VI. ii. 623).

The charter of Walter Brune, the founder of the Priory of St. Mary Spital, or New Hospital of our Lady without Bishopsgate, endowed the hospital with considerable lands here. The field called Lollesworth there mentioned is described in the Survey of 1550 as 'called Spitel Hoppe, otherwise Lollesworth' (Robinson, i. 332; Dugdale, 'Monast.' VI. ii. 624).

London Fields yet remain an open space in the borough of Hackney.

'Robertus Grene de eadem yoman inclusit infra tempus predictum sex acras terre & vnam rodam iacentes in campo predicto infra villam predictam.'

'Johannes Elryngton de eadem yoman infra tempus predictum inclusit sex acras terre iacentis in campo predicto infra villam predictam.'

'Robertus Carter de eadem yoman infra tempus predictum inclusit duas acras terre in campo predicto infra villam predictam.'

The total acreage inclosed in Londonfeld amounts to 143½ acres, of which 43½ acres were partitioned among eight inclosers.

'Johannes Stroder de eadem yoman infra tempus pre-

dictum inclusit iiij acras terre arabilis in campo vocato Barburbarne infra villam predictam.'

About seventy years after this Inquisition a mansion was built here which retained the name of Barber's Barn, otherwise Barber's Berns. In a survey of the estate of the dissolved priory of St. John of Jerusalem, held in 1542, occurs 'one toft called Barbers Barn' (Robinson, i. 88, 315).

'Johannes Barrynger de eadem yoman infra tempus predictum inclusit iiij^{or} acras terre arabilis in Welstretfeld infra villam predictam.'

Well Street still remains, so named from a well called Churchfield Well (Robinson, i. 8).

'Thomas Brandon de eadem yoman infra tempus predictum inclusit septem acras & dimidium terre arabilis iacentis in campo predicto infra villam predictam.'

P. 45.—'Thomas Clyford de eadem yoman infra tempus predictum inclusit xxiiij acras terre arabilis in campo predicto infra villam predictam.'

'Thomas fferreby de eadem yoman infra tempus predictum inclusit iiij acras & dimidium terre arabilis iacentis in campo predicto infra villam predictam.'

'Robertus Austen de eadem yoman infra tempus predictum inclusit quinque acras terre arabilis in campo predicto infra villam predictam.'

'Willelmus Pate de eadem yoman infra tempus predictum inclusit septem acras terre arabilis in campo predicto infra villam predictam.'

The total area inclosed in Welstretfeld amounts to 51½ acres among six partitioners.

'Johannes Grey de eadem yoman infra tempus predictum inclusit sexdecim acras terre in Cancelane infra villam predictam.'

Qu. a mistake for Cates' Lane (Robinson, i. 24).

BERKSHIRE

INTRODUCTION

THE commissioners for Berks, though they are not named in this return, were John Veysy, Dean of the Chapel Royal, Sir Andrew Wyndesore, and Roger Wegeston, late of Leicester. Their jurisdiction embraced the counties of Oxon, Berks, Warwick, Leicester, Beds, Bucks, and Northampton. (Br. 'Cal.' ii. 3297.) This is the only return from this body of commissioners which appears in the Lansdowne MS. It is different in form from all other returns, the entries regularly ending with the words 'conuerti permisit.' It makes no mention of ploughs put down, nor of persons evicted; but in each case of inclosure records the ruin of one or several messuages, and assigns a specific date for each act of inclosure. The peculiarity of the phrase 'conuerti permisit' suggests that this return is an abstract from one of fuller detail. It happens that in the case of part of this county, and in this only, the original returns as they were sent in to the Court of Chancery by the juries through the commissioners of inquiry are preserved.[1] Upon comparing the two it is at once evident that the Lansdowne MS. return is an abstract. Apparently it is an abstract of excerpts, and not a consecutive copy of the original, though it may be that the original has not only been abstracted, but rearranged. The principle upon which the abstract of the Lansdowne MS. has been constructed from the original documents appears to be that of selecting the name (among those originally returned as lords of manors, tenants, sub-tenants, etc.) of that person who gained pecuniary advantage from the inclosure and may

[1] See *Trans. Royal Hist. Soc.* 1892, p. 175.

therefore be taken as really responsible for it. This name the commissioners were careful to give. Whether the same particulars were also given by the other bodies of commissioners in other counties must remain doubtful for the present, until, at least, the original returns which still exist have been printed. Even then, however, the question whether the Lansdowne MS. is also an abstract of the returns from the counties contained in it will not be conclusively settled, since the originals for those counties are not known to exist and the form of return given in the MS. for them is less suggestive of abbreviation.

The difficulties in the way of a proper classification of the inclosers may be seen on comparison of the inclosure at East Henrede (Lansdowne MS. p. 48) with that given in the original return. This runs as follows: 'Et dicunt super sacramentum suum quod Thomas Elston, gent., qui secundo die Octobris anno regni domini Regis nunc tercio tenuit & adhuc tenet ad firmam de priore de poughley vnum messuagium & viginti & quatuor acras terre arrabilis cum pertinenciis in East Henrede in comitatu predicto & que terre seminari & arrari & cum mesuagio illo locari a toto dicto tempore solebant predictis die & anno messuagium illud destrui & devastari fecit & sic hucusque tenet & tenementa illa valent per annum duodecim solidos & dictus prior in iure monasterii sui seisitus existit de tenementis illis in dominico suo vt de feodo & ille tenet de domino Rege & ea occasione tres persone a suis mansionibus depriuantur' &c. The inference from the Lansdowne MS. is rather in favour of the Prior as incloser. The actual incloser is Thomas Elston, a layman, of whom the Lansdowne MS. makes no mention. Is this to be ranked as an inclosure by a layman, or by an ecclesiastic, or as an inclosure upon an ecclesiastical manor?

The entry immediately preceding this both in the Lansdowne MS. and in the originals of the Record Office throws some light upon the answer to this question. The original return of the Record Office runs as follows: 'Et dicunt super sacramentum suum quod Ricardus Elyott miles nuper fuit &

adhuc existit seisitus in dominico suo vt de feodo de vno mesuagio & quadraginta acris terre arrabilis & que arrari a tempore de quo non existit memoria necnon cum messuagio illo locari & occupari solebant & fuerunt in Chaddelworth in comitatu predicto & sic inde seisitus sexto die Aprilis anno regni domini Regis nunc septimo mesuagium predictum prosterni fecit & destrui & tenementa illa valent per annum quadraginta solidatas et tenentur immediate de Willelmo Hyde armigero & ipse vlterius tenet tenementa de abbatissa de Aylmesbury & ipsa vltimo de domino Rege. Et dicunt quod predicti Willelmus hyde & abbatissa nec eorum alter aliquid occasione premissa fecit percepit seu percipit de aut in tenementis illis. Et dicunt quod occasione predicta sex persone a suis occupacionibus & victu depriuantur.' If a classification of inclosures on lay and ecclesiastical manors be adopted, is this an inclosure upon a lay or upon an ecclesiastical manor? The proper answer to that question would depend upon the terms of the tenures and whether the incloser lay open to impeachment of waste by either, or by both, the other persons concerned. Clearly the commissioners wish to insist on the responsibility of the person to whom the inclosure was profitable. In the East Henrede case they make no declaration as to the Prior like that with reference to the Abbess of Aylmesbury and W. Hyde at Chaddleworth. We may perhaps, therefore, conclude that they regarded the Prior as the person answerable for the inclosure, and that this was the opinion of the transcriber of the Lansdowne MS., or of the person by whose instructions that abstract was made.

It follows from what has been said that the safest course to adopt here is to take the person pointed to by the Lansdowne MS. as the responsible incloser, if we wish to estimate the parts played by laymen and ecclesiastics respectively in the inclosing movement. The result then is twenty-four inclosures made by lay persons, affecting 1,231 acres of land and the destruction of twenty-seven messuages, as compared with seventeen inclosures of 576 acres, accompanied by the destruction of twenty-one messuages by ecclesiastics. The lay

inclosures represent 68·12 per cent., the ecclesiastical 31·87 per cent., of the whole. As regards destruction of houses, the ecclesiastics come out less well than in other counties, being responsible for 43·75 per cent., as against 56·24 per cent. destroyed by the laity, the percentage of those destroyed, therefore, exceeding the percentage of ecclesiastical land inclosed.

Among ecclesiastical inclosers the foremost was the Abbot of Abingdon. The landed possessions of this monastery were such that the abbot was chosen by the author of the 'Vision of Piers Plowman' as a type of monastic opulence:

> And thanne shal the abbot of Abyngdone
> And al his issue for evere,
> Have a knok of a kyng
> And incurable the wounde.—(Pass. xi. 6260 4).

But the whole area inclosed by him amounted to no more than 372 acres. It must also be remembered that this inclosing abbot was not a single individual, for during the period covered by the nine inclosures ascribed to the abbot the office was held by three different persons. (Dugdale, 'Monast.' i. 509, 510.) Of these the first, Thomas Rowland (1495-1504), inclosed 120 acres; his successor, Alexander Shottesbrooke (1504-1508), 172 acres; the third, John Coventry (1508-1514), 80 acres. It is noticeable that from 1488, when the Act (4 H. VII. c. 19) was passed 'agaynst pullyng doun of tounes,' to 1499, the date of the inclosure at West Sandeford, no inclosure by the abbots of Abingdon had taken place. On the other hand, ecclesiastics —at Crokeham the Abbot of Reading in 1491; at Aston Turrold the rector in 1492—were the first to set the statute of 1488 at defiance. Nevertheless, of forty-one inclosures only seven were made within the eleven years between that Act and the close of the fifteenth century. Sixteen inclosures were made between the years 1500–1509. The accelerated force of the inclosing movement is shown by the fact that between 1500 and 1517, eight years, eighteen inclosures were made, and this notwithstanding the prohibitive Act of 1515.

There is one feature of the returns for Berkshire and Gloucestershire which lends them a special importance: that is, that they include the rent of the holding, in which, in Berkshire, that of the accompanying farmhouse is expressly, in Gloucestershire tacitly, included. Such details are not specifically assigned by the King's commission as subjects for inquiry, and could only have been comprised under the general heading 'de aliis articulis & circumstanciis premissa qualitercumque concernentibus.' It is extremely unfortunate that, in setting out upon this branch of inquiry, no attempt was made to distinguish the rent of land from the rent of houses. But as such a distinction is, from the point of view of economic history, of some moment, it is desirable to consider upon what principles it should be based.

There is no reason why the proportion between the rent of a farmhouse and that of the land upon which it is situate should have materially altered since the sixteenth century. The stage at which, at any given moment, agriculture stands, and the degree to which the conveniences of life have become its necessaries, are contemporaneous effects of common conditions. Drawing conclusions, therefore, from our own day, I had arrived at 25 per cent. of the total rent as that representing the rent of the farmhouse upon small holdings, and a less proportion upon holdings of more extensive acreage. But I thought it best to consult a well-known practical writer upon agriculture, Mr. W. E. Bear. His judgment confirmed my opinion. Although it is quite impossible to lay down a general rule as to the proportion of the rent of land and house upon holdings of different sizes, yet a rough calculation, which pretends to no greater importance than that of an estimate, may be ventured. I have, therefore, calculated the rents of land from the data given upon the following basis. Upon holdings of from 1 to 50 acres I have deducted on account of house rent 25 per cent.; from holdings of 51 to 200 acres 20 per cent.; from holdings above 200 acres 15 per cent. The result gives the land rentals.

ANALYSIS OF THE INQUISITION FOR BERKSHIRE

I.—Areas Inclosed on Lay and Ecclesiastical Manors[1]

Hundred[2]	Area of Hundred	Total area inclosed	Inclosures remaining arable	Conversions and pasture areas inclosed	Areas of inclosure on lay manors			Areas of inclosure on ecclesiastical manors			Inclosures by	
					Total	Remaining arable	Conversions and pasture areas inclosed	Total	Remaining arable	Conversions and pasture areas inclosed	Laymen	Ecclesiastics
	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres
Moreton .	28,700	530	—	530	390 (530)	—	390 (530)	0 (140)	—	0 (140)	480	50
Compton .	18,190	220	—	220	—	—	—	220	—	220	200	20
Faircross .	46,130	160	—	160	40 (80)	—	40 (80)	80 (120)	—	80 (120)	140	20
Wanting .	28,160	174	—	174	80	—	80	94	—	94	110	64
Reading .	37,510	96	—	96	26 (46)	—	26 (46)	50 (70)	—	50 (70)	26	70
Shrivenham .	34,490	80	—	80	80	—	80	—	—	—	80	—
Hormer .	21,460	120	—	120	—	—	—	120	—	120	—	120
Ganfield .	17,020	152	—	152	40	—	40	112	—	112	40	112
Ripplesmere .	17,430	20	—	20	—	—	—	20	—	20	20	—
Charlton .	17,935	115	—	115	100 (115)	—	100 (115)	0 (15)	—	0 (15)	115	—
Wargrave .	11,220	40	—	40	—	—	—	40	—	40	—	40
Ock . .	28,250	80	—	80	—	—	—	80	—	80	—	80
Theale . .	26,690	20	—	20	20	—	20	—	—	—	20	—
Total .	333,815	1,807	—	1,807	776 (991)	—	776 (991)	816 (1,031)	—	816 (1,031)	1,231	576

[1] Where two numbers are given, that in brackets is the number if the doubtful cases are included. The totals will then be obtained by adding the bracketed figures of the columns giving the ecclesiastical areas to the appropriate unbracketed figures of the columns giving the areas upon lay manors.

[2] The Hundreds are not specified in the MS. but are given in these analyses to facilitate comparison.

II.—Proportionate Analysis of Areas Inclosed on Lay and Ecclesiastical Manors

Hundred	Proportion of total area inclosed to area of hundred	Proportion of inclosures remaining arable to total areas inclosed	Proportion of conversions and inclosures of pasture to total areas inclosed	Lay Manors					Ecclesiastical Manors					Inclosed by	
				Proportion of areas inclosed to total areas inclosed	Proportion of inclosures remaining arable to total areas inclosed	Proportion of areas remaining arable to total areas inclosed on lay manors	Proportion of conversions and inclosures of pasture to total areas inclosed	Proportion of conversions and inclosures of pasture to total areas inclosed on lay manors	Proportion of areas inclosed to total areas inclosed	Proportion of inclosures remaining arable to total areas inclosed	Proportion of inclosures remaining arable to total areas inclosed on ecclesiastical manors	Proportion of conversions and inclosures of pasture to total areas inclosed	Proportion of conversions and inclosures of pasture to total areas inclosed on ecclesiastical manors	Laymen	Ecclesiastics
Moreton .	1·84	—	100	73·58 (100)	—	—	73·58 (100)	100 (100)	0 (26·41)	—	—	0 (26·41)	0 (100)	90·56	9·43
Compton .	1·2	—	100	—	—	—	—	—	100	—	—	100	100	90·99	9·09
Faircross .	·03	—	100	25 (50)	—	—	25 (50)	100 (100)	50 (75)	—	—	50 (75)	100	87·5	12·5
Wantage .	·06	—	100	45·97	—	—	45·97	100	54·02	—	—	54·02	100	63·21	36·78
Reading .	·002	—	100	27·08 (47·91)	—	—	27·08 (47·91)	100	52·08 (72·91)	—	—	52·08 (72·91)	100	27·08	72·91
Shrivenham	·02	—	100	100	—	—	100	100	—	—	—	—	—	100	—
Hormer .	·05	—	100	—	—	—	—	—	100	—	—	100	100	—	100
Ganfield .	·08	—	100	26·31	—	—	26·31	100	73·68	—	—	73·68	100	26·31	73·68
Ripplesmere	·01	—	100	—	—	—	—	—	100	—	—	100	100	100	—
Charlton .	·06	—	100	86·95 (100)	—	—	86·95 (100)	100	0 (13·04)	—	—	0 (13·04)	0 (100)	100	—
Wargrave .	·03	—	100	—	—	—	—	—	100	—	—	100	100	—	100
Ock . .	·02	—	100	—	—	—	—	—	100	—	—	100	100	—	100
Theale .	·007	—	100	100	—	—	100	100	—	—	—	—	—	100	—
Total .	·05	—	100	42·94 (54·84)	—	—	42·94 (54·84)	100	45·15 (57·05)	—	—	45·15 (57·05)	100	68·12	31·87

Note.—Where two numbers are given, that in brackets is the number if the doubtful cases are included. The totals will then be obtained by adding the bracketed figures of the columns giving the ecclesiastical areas to the appropriate unbracketed figures of the columns giving the areas upon lay manors.

III.—ACTUAL INCLOSERS

Where a name only occurs with the form 'conuerti permisit,' the person named is taken to be the actual incloser

LAY

Hundred	Place	Acres	Messuagia
Moreton	Fulscote	240	3
Compton	Compton	200	1
Moreton	Bastelden	20	1
Reading	Vpton	20	1
Faircross	Chilvey	20	1
Faircross	Yatyndon	40	1
Faircross	Bedon	40	1
Faircross	Chadleworth	40	1
Wanting	Grove	30	1
Wanting	Ardyngton	50	1
Wanting	Estgynge	30	1
Reading	Greneham	26	1
Shrivenham.	Compton	(60)	2
Shrivenham.	Burton	20	1
Ganfield	Bukland	40	1
Ripplesmere	Wyngfeld	20	1
Charlton	Berkeham	100	1
Moreton	Southmorton	20	1
Moreton	Dudcott	20	1
Moreton	Aston Turrold	30	1
Moreton	Aston Turrold	30	1
Moreton	Harwell	100	1
Charlton	Hartley	15	1
Theale	Wolhamton	20	1
		1231	27

i.e. ay inclosures = 68·12 per cent.
ecclesiastical inclosures = 31·87 per cent.

ECCLESIASTICAL

Hundreds	Place	Acres	Messuagia
Moreton	ffarneburgh	20	1
Faircross	Chivela	20	1
Wanting	Esthenred	24	1
Wanting	Esthanney	20	1
Wanting	Westlockhenge	20	1
Moreton	Harewell	20	1
Reading	Crokeham	20	1
Hormer	West Sandeford	60	1
Hormer	West Sandeford	40	1
Ganfield	Shalyngford	112	5
Hormer	Drayton	20	1
Wargrave	Wargrave	40	1
Ock	Marcham	40	1
Ock	Appelford	40	1
Moreton	Aston Turrold	30	1
Reading	Pangbourn	20	1
Reading	Tylcherst	30	1
		576	21

destruction of houses = 56·24 per cent. (lay)
= 43·75 per cent. (ecclesiastical)

IV.—Inclosures on Lay and Ecclesiastical Manors

Lay Manors	acres	Doubtful	acres	Ecclesiastical Manors	acres
Fulscot	240	Bastelden	20	ffarneburgh	20
Vpton	20	Bedon	40	Compton	200
Yatyndon	40	Crokeham	20	Chilvey	20
Ardyngton	50	Harewell	20	Chivela	20
Estgynge	30	Harwell	100	Chadleworth	40
Greneham	26	Hartley	15	Esthendred	24
Compton	(60)			Grove	30
Burton	20			Est hanney	20
Bukland	40			Westlockhenge	20
Berkeham	100			W. Sandeford	60
S. Morton	20			W. Sandef rd	40
Dudcott	20			Shalyngford	112
Aston Turrold	30			Wyngfeld	20
Aston Turrold	30			Drayton	20
Aston Turrold	30			Wargrave	40
Wolhampton	20			Marcham	40
				Appelford	40
				Pangbourn	20
				Tyleherst	30
Total	776		215		816

V.—Areas Assigned to Houses

Transcript Page	—	—	Acres
47	ffulscote	messuagium	80 (3 messuagia = 240 acres)
47	ffarneburgh	messuagium	20
47	Compton	messuagium	200
47	Bastelden	messuagium	20
47	Vpton	messuagium	20
47	Chilvey	messuagium	20
47	Yatyndon	messuagium	40
48	Chivela	messuagium	20
48	Bedon	messuagium	40
48	Chadleworth	messuagium	40
48	Esthenred	messuagium	24
48	Grove	messuagium	30
48	Esthanney	messuagium	20
48	Ardyngton	messuagium	50
48	Westlockhenge	messuagium	20
49	Est Gynge	messuagium	30
49	Greneham	messuagium	26
49	Harewell	messuagium	20
49	Compton	messuagium	60

Average area to a messuagium = 45 acres.

VI.—SELECTED INCLOSURES

Inclosures by the Abbot of Abingdon

	Acres		Acres
ffarneburgh	20	Shalyngf rd	112
Chivela	20	Drayton	20
Westlockhenge	20	Marcham	40
West Sandeford	60	Appelford	40
West Sandeford	40		
			372

VII.—LAND RENTALS

LAY			ECCLESIASTICAL		
	Acres	Rent per acre		Acres	Rent per acre
Fulscote	240	6¼d.	ffarneburgh	20	5¼d.
Compton	200	9⅓d.			
Bastelden	20	4⅛d.			
Vpton	20	8d.			
Chilvey	20	7¼d.			
Yatyndon	40	4d.	Chivela	20	4½d.
Bedon	40	2¼d.			
Chadleworth	40	9d.	Esthenred	24	4½d.
Grove	30	9d.	Esthanney	20	6¼d.
Ardyngton	50	5½d.	Westlockhenge	20	6d.
Estgynge	30	9d.			
Greneham	26	7d.	Harewell	20	4⅓d.
Compton	60	9d.			
Burton	20	9d.	Crokeham	20	4d.
			West Sandeford	60	1¾d.
			West Sandeford	40	2¾d.
			Shalyngford	112	6d.
Bukland	40	4½d.			
Wyngfeld	20	9d.			
Berkeham	100	3¼d.	Drayton	20	5¾d.
			Wargrave	40	4½d.
			Marcham	40	9d.
			Appelford	40	4⅓d.
Southmorton	20	9d.			
Dudcott	20	6¾d.	Aston Turrold	30	6d.
Aston Turrold	30	7¼d.			
Aston Turrold	30	5⅛d.			
Harwell	100	4½d.	Pangbourn	20	4⅓d.
			Tyleherst	30	3d.
Hartley	15	3d.			
Wolhampton	20	4⅓d.			

Taking the holdings as units, the average rent of land upon the twenty-four lay holdings is 6½d. an acre; that on the seventeen ecclesiastical holdings 4¾d. an acre.

THE INQUISITION FOR BERKSHIRE

(Lansd. MS. 1. fo. 179–181 dors.)

P. 47.—COMITATUS BERKS.[1]

'Leonellus Norrys Gentleman fuit seisitus in feodo de tribus messuagiis ccxl acris terre arrabilis in ffulsbote annui valoris viij li. Et sic seisitus decimo die Maii anno vij^mo^ Regis henrici viij^ui^ messuagia predicta prosterni & terram in pasturam conuerti permisit.'

Fulsbote, a transcriber's blunder for Fulscot or Fowlescote, a manor in the parish of South Moreton, then belonging to the family of Norreys (Lysons, i. 316).

The annuus valor here appears to have been the rental upon which the freeholder did or might let it. It works out at 8*d.* an acre. But this includes the rental of the three messuagia.

The double hide of 240 acres was half a knight's fee (Seebohm, p. 38).

The acreage is 80 acres to a messuagium. Taking the rent of the messuage at 20 per cent. of the rent of the 80 acres, the rent of each farm would be 10*s.* 8*d.* for the house, and 42*s.* 8*d.* for the land, or 53*s.* 4*d.* in all. The land rental would then be 6¼*d.* an acre.

'Abbas de Abenden fuit seisitus in iure monasterii sui de vno messuagio & xx acris terre arrabilis in ffarneburgh annui valoris xij^s^. Et sic seisitus sexto die marcii anno secundo Regis Henrici viij^ui^ messuagium predictum prosterni & terram in pasturam conuerti permisit.'

As to this property see the 'Chronicon Monasterii de Abingdon' (Stevenson). It had been acquired by the Abbey A.D. 838 (*ibid.* p. 44). The rent was probably lower than that of the lay landlord in the preceding

[1] The MS. does not give the Hundreds, which are assigned in the statistical tables in order to facilitate comparison with other counties, and to give an indication of the areas dealt with.

case. It may be conjectured that a messuagium to which only 20 acres were appurtenant was inferior in value to one to which 80 acres were assigned, but the rent higher in proportion to the whole. Let the portion of the total rent set aside for the house be 3*s.* per annum, or 25 per cent. (see p. 261, *supra*). The rental of the land would then amount to a little more than 5¼*d.* an acre. This, supposing the land of equal value, so far confirms the general belief, and indeed the probability, that the monasteries were, as a rule, easy landlords.

'Johannes Morys fuit seisitus in feodo de vno messuagio & cc acris terre arrabilis in Compton annui valoris x li. Et sic seisitus viij^{uo} die Januarii anno xxij^{do} Regis henrici vij^{mi} messuagium predictum prosterni et terram in pasturam conuerti permisit.'

Taking, as before, 20 per cent. *i.e.* 40*s.*, as the rent of the messuagium (see p. 261, *supra*), the rent of the land would be at the rate of 9½*d.* an acre.

'Johannes Cowfold fuit seisitus in feodo de vno messuagio & xx^{ti} acris terre arrabilis in Bastelden annui valoris x^{s}. Et sic seisitus x^{mo} die Marcii anno xvj Regis henrici vij^{mi} messuagium predictum prosterni & terram in pasturam conuerti permisit.'

I.e. assuming the rental of the messuagium to be 25 per cent., as in the case of ffarneburgh, the rent of the house would be 2*s.* 6*d.*, and that of the land about 4½*d.* an acre.

Bastelden: *i.e.* Basildon. In Dugdale, 'Monast.' iv. 49, Bastylden.

Cowfold does not appear to have been the name of any of the lords of the manor (Lyson, i. 238).

'Michaell Kyddewelle fuit seisitus in feodo de vno messuagio & xx^{ti} acris terre cum pertinentiis in Vpton annui valoris xvij^{s}. Et sic seisitus vi^{to} die Marcii anno tercio Regis henrici viij^{ui} messuagium predictum prosterni et terram in pasturam conuerti permisit.'

I.e. on the same principles as before, house rent 3*s.* 5*d.*, rent of land about 8*d.* an acre—almost double the last rental.

'Thomas Goodlake fuit seisitus in feodo de vno messuagio

& xx^{ti} acris terre arrabilis in Chilrey annui valoris xvj^{s}. Et sic seisitus x^{mo} die Marcii anno xij^{mo} Regis henrici vij^{mi} messuagium predictum prosterni et terram in pasturam animalium conuerti permisit.'

I.e. as before, about 7¼*d.* an acre; 4*s.*, or 25 per cent., representing the rent of the house.

Chilrey: *i.e.* Childrey.

'Johannes Norys armiger fuit seisitus in feodo de vno messuagio & xl acris terre arrabilis in Yatyndon annui valoris xviij^{s}. Et sic seisitus xviij^{mo} die Julii anno x^{mo} Regis henrici vij^{mi} messuagium predictum prosterni & terram in pasturam conuerti permisit.'

I.e. as computed before, about 4*d.* an acre.

The Norrys family were lords of the manor (Lysons, i. 445).

P. 48.—'Abbas de Abendon fuit seisitus in feodo in iure monasterii sui de vno messuagio & xx^{ti} acris terre arrabilis in Chivela annui valoris x^{s}. Et sic seisitus x^{mo} die Julii anno xx^{mo} Regis Henrici vij^{mi} messuagium predictum prosterni & terram in pasturam conuerti permisit.'

The abbots had been lords of the manor of Chiveley since 951 (Stevenson's 'Chronicon,' i. 151).

Chivela: also spelt Chivelea and Civelea (*ibid.*).

As before computed, the rent is 4½*d.* an acre.

'Johana domina Baford fuit seisita per copiam curie de vno messuagio et xl acris terre arrabilis in Bedon annui valoris x^{s}. Et sic seisita vj^{to} die Junii anno xx^{mo} Regis henrici vij^{mi} messuagium predictum prosterni et terram in pasturam conuerti permisit.'

Qu. a knight's widow.

As before computed, the rent is 2¼*d.* an acre.

'Ricardus Elyott miles fuit seisitus in feodo de vno messuagio & xl acris terre arrabilis in Chadleworth Annui valoris xl^{s}. Et sic seisitus vj^{to} die Aprilis anno vij^{o} Regis Henrici viij^{ui} messuagium predictum prosterni et terram in pasturam conuerti permisit.'

As before computed, the rent is 9*d.* an acre, 25 per cent. of the whole representing rent of house.

Sir R. Elyot was appointed justice of the King's Bench in 1515. He had married the lady of the neighbouring manor of East Shefford (Lysons, i. 360).

The lordship of the manor was in the priory of Ambresbury, Wilts (*ibid.* i. 256).

'Prior de Poughley fuit seisitus in iure prioratus sui de vno messuagio & xxiiij^{or} acris terre arrabilis in Esthenred Annui valoris xij^{s}. Et sic seisitus secundo die Octobris anno tercio Regis henrici viij^{ui} messuagium predictum prosterni & terram in pasturam conuerti permisit.'

This priory of Austin Canons was in the parish of Chaddleworth, and was dissolved by Wolsey in 1524. It appears to have held forty acres in East Hendred (see Inspeximus of Henry III.; Dugdale, 'Monast.' vi. 409. Cp. 'Bibl. Topog. Brit.' iv. 65). The priory of Shene held the lordship of one of the manors, the Abbey of Reading that of another (Dugdale, 'Monast.' iv. 49, vi. 33). There were five manors. The parish was partly in the Hundred of Wanting, partly in that of Reading. For the purposes of the statistics of pp. 262, 263, *supra* this inclosure has been taken, like those which follow it, as having been in the Hundred of Wanting.

As before computed, the rent is about 4½*d.* an acre.

'Johannes Bourchier miles dominus ffytzwarren fuit seisitus in feodo de vno messuagio & xxx^{ta} acris terre in Grove Annui valoris xxx^{s}. Et sic seisitus vij^{mo} die Novembris anno secundo Regis henrici viij^{ui} messuagium predictum prosterni & terram in pasturam conuerti permisit.'

As before computed, the land rent is 9*d.* an acre; that of the house 7*s.* 6*d.*

'Prior domus Cartusiane de Shene fuit seisitus in feodo de vno messuagio & xx^{ti} acris terre arabilis in Esthanney annui valoris xiiij^{s}. Et sic seisitus viij^{uo} die Augusti[1] anno xvij,[2] Regis henrici vij^{mi} messuagium predictum prosterni & terram in pasturam conuerti permisit.'

The Carthusian Priory of Shene held the lordship of one of

[1] vi^{to} struck out. xxvij^{o} interlined and struck out. Septembris struck out.

[2] xxij^{do} struck out.

the three manors of East Hanney (Dugdale, 'Monast.' vi. 33; Lysons, i. 288). E. Hanney is partly in the Hundred of Wanting, in which it is here reckoned, partly in that of Ock. (Lysons, *l. c.*).

As before computed, the rent is about 6¼*d.* an acre.

'Comes Derbeiensis fuit seisitus in feodo de vno messuagio & 1 acris terre arrabilis in Ardyngton annui valoris xxix^{s}. Et sic seisitus vj^{to} die Septembris anno xxii^{do} Regis henrici vij^{mi} messuagium predictum prosterni & terram in pasturam conuerti permisit.'

As before computed, the rent is about 5¼*d.* an acre, 25 per cent. being deducted for rent of house.

'Abbas monasterii de Abendon fuit seisitus in iure monasterii sui de vno messuagio & xx^{ti} acris terre arrabilis in Westlockhenges annui valoris xiij^{s} iiij^{d}. Et sic seisitus x^{mo} die Junii anno secundo Regis henrici viij^{ui} messuagium predictum prosterni & terram in pasturam conuerti permisit.'

The abbot was lord of the manor (Dugdale, 'Monast.' i. 528).

As before computed, the rent is 6*d.* an acre.

P. 49.—'Johannes Coxehed fuit seisitus in feodo de vno messuagio & xxx^{ta} acris terre arrabilis cum pertinentiis in Estgynge Annui valoris xxx^{s}. Et sic seisitus vj^{to} die maii anno regni nostri iiij^{to} messuagium predictum prosterni et terram in pasturam conuerti permisit.'

The substitution of 'nostri' here, as in a proclamation, appears to be a clerical error.

Estgynge: *i.e.* East Ging, south of West Hendred.

As before computed, the rent is 9*d.* an acre.

It does not appear that this was the name of the lord of the manor (Lysons, i. 293).

'Prior hospitalis sancti Johannis Jerusalem fuit seisitus in iure hospitalis sui de vno messuagio & xxvj acris terre cum pertinentiis in Greneham Annui valoris xx^{s}. Et sic seisitus vj^{to} die Marcii anno iij^{clo} Regis henrici viij^{ui} messuagium predictum prosterni & terram in pasturam conuerti permisit.'

This entry throws light on a doubtful point. In Dugdale's

'Monasticon,' VI. ii. 805 (ed. 1830) the editors state: 'The Messrs. Lysons, in their "Magna Britannia for Berkshire," vol. i. p. 387, mention Greenham in the parish of Thatcham as a preceptory for Knights Hospitalars. But the present editors know no more of this foundation.' The manor, according to Lysons, quoting from Dugdale without a reference, was given to the Hospitallers by Maud, Countess of Clare, in the reign of Henry II. The latest mention of this preceptory given by Lysons is *temp.* Henry VI. It is remarkable that neither Tanner nor Dugdale mentions its dissolution.

As before computed, the rent of the land is about *7d.* an acre.

'Custodes & scolares collegii beate marie magdalene in Oxonia fuerunt seisiti in iure collegii sui de vno messuagio et xx^{ti} acris terre arrabilis in harewell annui valoris x^{s}. Et sic seisiti xvj^{mo} die Augusti anno secundo Regis henrici viij^{us} messuagium predictum prosterni & terram in pasturam conuerti permiserunt.'

'Custodes' is remarkable, the official style being 'Presidens et scholares.'

It does not appear that the College was lord of the manor.

As before computed, the rent would be about 4½*d.* an acre.

'Thomas ffytyplace fuit seisitus in feodo de duobus messuagiis & duabus virgatis terre in Compton annui valoris xx^{s}. Et sic seisitus xvj^{mo} die Marcii anno xij^{mo} Regis henrici vij^{mi} messuagium predictum prosterni & terram in pasturam conuerti permisit.'

Compton: *i.e.* Compton-Beauchamp or Compton Regis, in the hundred of Shrivenham, near Faringdon. The family of Fettiplace, Fettyplace, or ffytyplace held the lordship of the manor (Lysons, i. 265).

This is the first Berkshire entry otherwise than in acres. The normal virgate was thirty acres, so this is an inclosure and conversion, presumably, of sixty acres.

As before computed, the rent is 3*d.* an acre.

'Henricus Courtney nunc comes Deuonie fuit seisitus in feodo de vno messuagio & xx^{ti} acris terre arrabilis in Burton

Annui valoris xx^{s}. Et sic seisitus xij^{mo} die Aprilis Anno xiij^{mo} Regis henrici vij^{mi} messuagium predictum prosterni & terram in pasturam conuerti permisit.'

Burton, *i.e.* Burghton or Bourton, near Shrivenham (Lysons, p. 369).

'Nunc.' The significance of this is not very apparent. Henry Courtney had succeeded in 1511 to his father in the title of Earl of Devon, which had been recreated in that year. He was not created Marquis of Exeter till 1525 (Br. Cal. IV. i. 1431, 8).

As before commuted, the rent about 9*d.* an acre.

'Johannes Abbas monasterii de Redyng fuit seisitus in iure monasterii sui de vno messuagio & xx^{ti} acris terre arrabilis in Crokeham Annui valoris ix^{s}. Et sic seisitus vj^{to} die marcii anno sexto Regis henrici viij^{ui} messuagium predictum prosterni & terram in pasturam conuerti permisit.'

The manor appears to have been in the hands of the Earls of Salisbury (Lysons, i. 387).

This abbot was John Thorne, according to Dugdale abbot from 1446 to 1519 ('Monast.' iv. 32).

As before computed, the rent is about 4*d.* an acre.

'Abbas monasterii de Abendon fuit seisitus in feodo in iure monasterii sui de vno messuagio & lx acris terre arrabilis in west Sandeford Annui valoris xj^{s}. Et sic seisitus x^{mo} die Julii anno xxiiij^{mo} Regis henrici vij^{mi} messuagium predictum prosterni & terram in pasturam conuerti permisit.'

The Abbots of Abingdon were lords of the manor of Sandford (Dugdale, 'Monast.' i. 528). See further p. 260, *supra*.

As before computed, deducting 20 per cent. for house rent, the rent of the land is about 1¾*d.* an acre.

P. 50.—'Abbas monasterii de Abendon fuit seisitus in feodo [1] de vno messuagio & xl acris terre arrabilis in Westsandfor(d)[2] Annui valoris xij^{s}.[3] Et sic seisitus vij^{mo} die Nouembris anno xxiiij^{to} Regis henrici vij^{mi} messuagium predictum prosterni et terram in pasturam conuerti permisit.'

[1] 'In iure monasterii sui' is here struck out. [2] MS. torn.
[3] xiij^{s} struck out.

As before computed, allowing 25 per cent. for rent of house, the rent of the land is nearly 2¾*d.* an acre. The name of the place indicates a poor soil. It is to be observed that this land, which appears to have been the Abbot's private property, is rented at a penny an acre higher than that of the monastery.

'Abbas monasterii de Abenden fuit seisitus in feodo in iure monasterii sui de quinque messuagis cxij acris terre in Shalyngford Annui valoris lxxiij^{s} iiij^{d}. Et sic seisitus x^{mo} die Octobris anno xxij^{do} Regis Henrici vij^{mi} messuagium predictum prosterni & terram in pasturam conuerti permisit.'

The Abbots of Abingdon were lords of the manor of Shillingford (Lysons, i. 360).

This gives slightly more than 22½ acres to each messuagium. As before computed, deducting for each farm 25 per cent. as rent of house, the rent is about 6*d.* an acre.

'Thomas Costard fuit seisitus in feodo de vno messuagio & xl acris terre arrabilis in Bukland annui valoris xx^{s}. Et sic seisitus xvj^{mo} die ffebruarii Anno sexto Regis henrici viij^{ti} messuagium predictum prosterni et terram in pasturam conuerti permisit.'

The lordship of the manor had been in the hands of the family of de la Pole, Earls of Suffolk, but had been forfeited on the attainder of Edmund de la Pole in 1509 (Br. Cal. i. 174), where it appears under the name of Bulland (cp. *ibid.* 1426).

As before computed, the rent of the land is 4½*d.* an acre.

'Johannes lee fuit seisitus in feodo de vno messuagio & xx^{ti} acris terre arrabilis in Wyngfeld Annui valoris xx^{s}. Et sic seisitus x^{mo} die Januarii Anno regni henrici viij^{ti} primo messuagium predictum prosterni & terram in pasturam animalium conuerti permisit.'

As before computed, the rent of the land is about 9*d.* an acre.

'Thomas Bullok gentleman fuit seisitus in feodo de vno messuagio & c acris terre arrabilis in Berkeham annui valoris xxxiij^{s} iiij^{d}. Et sic seisitus iiij^{to} die Marcii anno vij^{mo} Regis

henrici viij^{ui} messuagium predictum prosterni & terram in pasturam conuerti permisit.'

The family of Bullock were lords of the neighbouring manor of Arborfield (Lysons, i. 235–8, 280–1).

As before computed, deducting 20 per cent. for rent of house, the rent of the land is about 3¼*d.* an acre.

'Abbas de Abendon fuit seisitus in iure monasterii sui de vno messuagio & xx^{ti} acris terre arrabilis in Drayton, Annui valoris xij^{s} vj^{d}. Et sic seisitus vj^{to} die Junii anno xvj^{mo} Regis henrici vij^{mi} messuagium predictum prosterni et terram in pasturam conuerti permisit.'

The manor belonged to the Abbey of Abingdon (Lysons, i. 272).

As before computed, deducting 25 per cent. for rent of house, the land rent is nearly 5¾*d.* an acre.

'Ricardus episcopus Wynton fuit seisitus in feodo de vno messuagio & xl acris terre in Wargraue, Annui valoris xx^{s}. Et sic seisitus vj^{to} die Marcii anno quinto Regis henrici viij^{ui} messuagium predictum prosterni & terram predictam in pasturam conuerti permisit.'

Ricardus: *i.e.* Fox.

The manor belonged to the See of Winchester (Lysons, i. 411).

As before computed, the land rent is about 4½*d.* an acre.

'Abbas de Abbyngdon fuit seisitus in iure monasterii sui de vno messuagio & xl acris terre arrabilis in Marcham, Annui valoris xl^{s}. Et sic seisitus vij^{mo} die Augusti anno xvj^{mo} Regis henrici vij^{mi} messuagium predictum prosterni & terram in pasturam conuerti permisit.'

The manor belonged to the Abbey of Abingdon (Lysons, i. 315).

As before computed, the land rent is 9*d.* an acre.

P. 51.—'Abbas de Abyndon fuit seisitus in feodo in iure monasterii sui de vno messuagio & xl acris terre arrabilis in Appelford Annui valoris xx^{s}. Et sic seisitus vij^{mo} die Maii anno xxiij^{clo} Regis henrici vij^{mi} messuagium predictum prosterni & terram in pasturam conuerti permisit.'

The manor of Appulford belonged to the Abbey of Abingdon (Dugdale, 'Monast.' i. 527).

As before computed, the land rent is 4½*d.* an acre.

'Willelmus leynam fuit seisitus in feodo de vno messuagio & xx acris terre arrabilis in Southmorton, Annui valoris xx^{s}. Et sic seisitus xix^{no} die Aprilis Anno xxij^{do} Regis henrici vij^{mi} messuagium predictum prosterni et terram predictam in pasturam conuerti permisit.'

As before computed, the land rent is 9*d.* an acre.

'Thomas Stoner armiger fuit seisitus in feodo de vno messuagio & xx^{ti} acris terre arrabilis in Dudcott annui valoris xv^{s}. Et sic seisitus x^{mo} die Junii anno xx^{mo} Regis henrici vij^{mi} messuagium predictum prosterni & terram in pasturam animalium conuerti permisit.'

The family of Stonor were lords of the manor (Lysons, i. 272).

As before computed, the land rent is 6¾*d.* an acre.

'Ricardus Spore clericus rector de Aston Turrold fuit seisitus in feodo de vno messuagio & xxx^{ta} acris terre cum pertinentiis in Aston Turrold Annui valoris xx^{s}. Et ipse sic seisitus vij^{mo} die Junii anno vij^{mo} Regis henrici vij^{mi} messuagium predictum prosterni & terram in pasturam conuerti permisit.'

As before computed, the rent is 6*d.* an acre.

'Carolus dux Suffolcie fuit seisitus in feodo de vno messuagio & xxx acris terre cum pertinentiis in Aston Turrold Annui valoris xxiiij^{s}. Et sic seisitus xvj^{mo} die Julii anno quarto Regis henrici viij^{ui} messuagium predictum prosterni & terram in pasturam conuerti permisit.'

It would appear here as if a mistake had been made by the commissioners. 'Carolus dux Suffolcie,' no doubt refers to Charles Brandon, Duke of Suffolk, who had received that title in 1514. The manor of Aston Thorold or Turrold had been part of the lands known as 'Suffolk's land,' having been forfeited upon the attainder of Edmund de la Pole, Earl of Suffolk, in 1509 (see above *sub* Bukland. Cp. Br. Cal. i. 174). In 1513 it seems to have become the property of Sir Thomas Bryan (*ibid.* ii. p. 1482). The inference is that the com-

missioners were misled by the name 'Suffolk's land.' In the year 1511, when this inclosure took place, we know that the manor was being administered on behalf of the Crown by William Compton (*ibid.* i. 1426).

As before computed, the land rent is nearly $7\frac{1}{4}d.$ an acre.

'Carolus dux Suffolcie fuit seisitus in feodo de vno messuagio & xxx acris terre in Aston Turrold annui valoris xviij^{s} x^{d}. Et sic seisitus vij^{mo} die Aprilis Anno vij^{mo} Regis Henrici viij^{ui} messuagium predictum prosterni & terram in pasturam conuerti permisit.'

See preceding note.

As before computed, the land rent is about $5\frac{1}{2}d.$ an acre.

'Edmundus[1] Cote fuit seisitus in feodo de vno Messuagio & centum acris terre in harwell in comitatu predicto annui valoris xliij^{s} iiij^{d}. Et ipse sic seisitus vj^{to} die Maii Anno vj^{to} Regis henrici viij^{ui} Messuagium predictum prosterni & terram in pasturam conuerti permisit.'

Here, as in the case of the last entry but one, the word 'ipse' is introduced, as though implying that he farmed the land himself.

Deducting 20 per cent. for house rent the land rent is about $4\frac{1}{2}d.$ an acre.

'Abbas de Redyng fuit seisitus in feodo de vno Messuagio & xx^{ti} acris terre arrabilis in pangbourn annui valoris x^{s}. Et sic seisitus xx^{mo} die maii anno xx^{mo} Regis henrici vij^{mi} Messuagium predictum prosterni & terram in pasturam conuerti permisit.'

The manor belonged to the Abbey of Reading (Lysons, i. 323).

As before computed, the rent is about $4\frac{1}{2}d.$ an acre.

P. 52.—'Abbas de Redyng fuit seisitus in iure Monasterii sui de vno Messuagio & xxx^{ta} acris terre arrabilis in Tyleherst annui valoris x^{s}. Et sic seisitus x^{mo} die Julii anno xx^{mo} Regis henrici vij^{mi} messuagium predictum prosterni & terram in pasturam animalium conuerti permisit.'

The manor belonged to the Abbey of Reading (Lysons,

[1] MS. 'Edûs.'

i. 389; Dugdale, 'Monast.' iv. 49). The abbot was John Thorne. See p. 273 *supra*.

As before computed, the land rent is about 3*d*. an acre.

'Johannes long & [ ][1] vxor eius fuerunt seisiti in iure vxoris sue de vno Messuagio & xv acris terre arrabilis in hartley annui valoris v^{s}. Et ipsi sic seisiti quarto die Maii anno regni henrici viij^{ui} vij^{mo} Messuagium predictum prosterni & terram in pasturam conuerti permisit [*sic.*]'

It does not appear that this was the name of the lords of the manors (Lysons, i. 361).

As before computed, the rent would be 3*d*. an acre.

'Thomas prior hospitalis sancti Johannis Jerusalem fuit seisitus in feodo de vno messuagio & xx^{ti} acris terre arrabilis in Wolhamton Annui valoris x^{s}. Et sic seisitus x^{mo} die Julii anno xvj^{o} Regis henrici vij^{mi} messuagium predictum prosterni & terram in pasturam conuerti permisit.'

Thomas: *i.e.* Docwra, Prior 1502 (Dugdale, 'Monast.' VI. ii. 799).

The Prior was lord of the manor (Lysons, i. 444).

As before computed, the rent was about 4½*d*. an acre.

[1] Blank in MS.

John Veysey or Voysey, LL.D., alias Harman or Hermon, sometime Fellow of Magdalen College, Oxford (Wood, *Ath. Oxon.* ii. 761), was, according to Le Neve (*Fasti*, iii. 373), appointed Dean of Windsor by patent of Sept. 28, 1515 (cp. *Br. Cal.* ii. 957), and in 1519 Bishop of Exeter. In a patent of Nov. 22, 1514, he is styled, as here, Dean of the Chapel Royal ('Dean of the Chapel of the Household,' *Br. Cal.* ii. 4298), and made canon and prebend of St. Stephen's, Westminster (*Br. Cal.* I. 5609, 5623). In 1515 he opposed both Wolsey and the Convocation of Canterbury upon the constitutional questions arising out of Hunne's murder, maintaining the jurisdiction of the royal judges over criminous clerks (see *Br. Cal.* ii. 1313, 1314). Doubtless by way of reward for his boldness, he received in 1517 a grant of lands at Sutton Coldfield, Warwickshire, the place of his birth (Dugdale's *Warwickshire*, p. 640). He was also a Commissioner for Warwickshire in this Inquisition (*Br. Cal.* ii. 3376, cp. 1431 and 3806). His promotion to Exeter was probably in recognition of his services on this occasion. He finally retired to and was buried at Sutton Coldfield (Dugdale, pp. 641-3).

'Roger Wigston, descended from a family of the Wigstons in Leicester, divers

whereof were merchants of the Staple. Which Roger (being a lawyer, I suppose, for he was steward to the monastery of Pinley in this county), by his will dated 34 Hen. 8, bequeathed his body to be buried in the church of Wolston, having been sheriff of this county and Leicestershire in 33 Hen. 8, and in commis-ion of the peace for divers years' (Dugdale's *Warwickshire*, p. 27). 'He was lord of the manor of Wolston in Warwickshire' (Nichol's *Leicestershire*, I. 471). Together with his brother (*ibid.* 474), William Wigston or Wygeston of Leicester, jun., merchant of the Staple of Calais, Thomas Wigeston, clerk, and another, he received license in 1511 to found a chantry in the collegiate church of St. Mary, Newark, Leicester (*Br. Cal.* i. 1672). In 1513 he joined in the foundation of a hospital in Leicester 'to be called the hospital of William Wygeston,' the name of his father (*ibid.* 4345, 5578). His reward for his services in this Inquisition was a joint receivership-general of all possessions in the king's hands by the minority of heirs, which with the elastic notions of the duty of such trustees prevalent in those days must have been a place of great emolument. The grant is dated Jan. 17, 9 H. 8 (*Br. Cal.* II. ii. 3914, Nichol's *Leicestershire*, I. 472). At any rate, there are several references in Dugdale's *Warwickshire* to the subsequent acquisition of landed property in that county by Roger Wygeston and his son William.

GLOUCESTERSHIRE

INTRODUCTION

THE returns from Gloucestershire only relate to seven out of the twenty-nine Hundreds into which the county is divided. The total area inclosed is 3,843½ acres. The most striking characteristic of the Gloucestershire inclosures, especially as compared with those of Shropshire, is their relatively large extent. The total of forty inclosures gives an average exceeding ninety-six acres. In one place, Meene, five inclosures are returned of a total area of 310 acres. Of these one is of 170 acres; the others are small inclosures. A large percentage of the total inclosures is for purposes of sport, no less than 1,154 acres, or 30·02 per cent. of the whole, being returned as inclosed for parks. Of individual inclosers the most considerable was Sir Edward Grevell, who is responsible for two inclosures, at Weston Mawdytt and Meene respectively, amounting in all to 410 acres.

The part played by ecclesiastics in the inclosing movement in this county is more conspicuous than in the case of Berkshire. The manorial lands seem here to have been let direct to the farming tenant, and we do not find, as at Chadleworth, indications of a number of middle interests between the lord and the tenant-farmer. The proportion of ecclesiastical land inclosed is as high as 31·01 per cent. of the whole area inclosed. The actual inclosers, however, were lay tenants, ecclesiastics being actively and immediately responsible for no more than 8·06 of the area inclosed. This would be land belonging to demesne and kept in hand as home farm. We

note that as great a proportion of the land inclosed on ecclesiastical manors as 21·81 per cent. was kept arable. Of the land directly inclosed by ecclesiastics that retained as arable was no higher than 6·76 per cent. But all the inclosures on lay manors or effected by laymen were converted to pasture.

The commission for Gloucestershire confined its inquiries to inclosures, and made no returns of messuagia destroyed or decayed. It is quite impossible to believe, judging by the returns from other counties, that all these inclosures were effected without any displacement of population. But a difficulty presents itself as to the principle upon which that displacement is to be estimated. It will have been observed that in the Berkshire returns the decay or destruction of a house is recorded as accompanying each area inclosed, but in Berkshire the individual areas inclosed are small. The forty-seven inclosures give a total of 1,807 acres, or an average of 38½ acres, as compared with the Gloucestershire average of 96 acres. What is the explanation of this difference? Are we to suppose that the conditions of farming varied so remarkably in these two adjacent counties? Is the principle to be adopted of assigning one messuagium to each inclosure, as in the case of Berkshire? The answer to these questions is given in the record of the inclosures of Thomas Busshell at Bradmarston. Busshell, who, as we know from other sources, was lord of the manor, effected inclosures at Bradmarston, amounting in all to 330 acres. Upon the basis of one messuagium to each inclosed area, we should here estimate a displacement of five persons. But it happens that in this case the return is careful to add details of the manner in which the sum total is arrived at. It is made up of no fewer than eleven inclosures of virgates of thirty acres each. Each of these, it cannot be doubted, represented a holding supporting a peasant family. The probable displacement was not five persons, but fifty-five, assuming five to be the number of the normal household. The displacement of population, therefore, for Gloucestershire should be estimated upon the acreage cleared

for inclosures. But from this should be deducted the acreage inclosed for parks, of which there is no mention in Berkshire. This, perhaps, consisted of unoccupied land forming part of the wastes of the manors, upon some of which, as we know from the Thornebury cases, the tenants claimed common of pasture. In only one instance among these inclosures for parks does arable land occupied by tenants appear to have been taken. That is in the first inclosure by the Duke of Buckingham at Thornebury, a case in which ninety-six acres arable were tenanted together with thirty-two acres pasture. By the Berkshire standard of forty-five acres to the messuagium, which we know to have been slightly above the normal standard for peasant holdings, this represents the destruction of three messuagia and the displacement of fifteen persons. To ascertain the total displacement of population, therefore, we deduct the 1,026 acres[1] of pasture inclosed as park from the total area of 3,843 acres. This leaves 2,817 acres. This gives us, roughly, sixty-two holdings inclosed, and as many homesteads destroyed. At five to a household, we thus arrive at a total displacement of 310 persons in so much of the county as is embraced in this record.[2]

Another difficulty arising from the perfunctory way in which the commissioners for Gloucestershire discharged their duty is connected with the returns of the rental value of land. In the Introduction to Berkshire I explained the basis upon which the rents of land, as distinguished from that of houses, were obtained. There is a difficulty in applying this with exactness to Gloucestershire, because in the case of such inclosures as those of forty, fifty, and seventy-seven acres it would be a matter of doubt whether to make allowance for one or for two houses. I have thought it best, therefore, to be satisfied with taking the inclosed areas, as given in the return,

[1] This excludes the thirty-two acres in the first inclosure at Thornebury which we are expressly told were held as pasture together with ninety-six acres arable. In either case, whether the thirty-two acres are excluded or not, the calculation is not materially varied.

[2] This sufficiently explains why no attempt is made to give a table of the areas of inclosures, as was done in the case of Norfolk.

as the units, reckoning the Bradmarston case as of eleven inclosed areas. The average rent of land rented from laymen then appears as *7d.* an acre, as compared with *6d.* an acre for land rented from ecclesiastics. This, as was to be expected from what has been said as to the allowance to be made for houses, slightly exceeds the Berkshire averages of $6\frac{1}{2}d.$ an acre and $4\frac{3}{4}d.$ an acre respectively.

ANALYSIS OF THE INQUISITION

I.—Areas Inclosed on Lay and Ecclesiastical

Hundred	Area of Hundred	Total area inclosed	Inclosures remaining arable	Conversions and pasture areas inclosed	Area of inclosure on lay manors		
					Total	Remaining arable	Conversions and pasture areas inclosed
	acres	acres	acres	acres	acres	acres	acres
Kiftsgate . .	85,290	1,917	260	1 657	1,137	—	1,137
Whitstone . .	25,300	50	—	50	—	—	—
Berkeley . .	62.430	11	—	11	11	—	11
Grumbald Ash .	40,670	670	—	670	670	—	670
Thornbury . .	22,460	643½	—	643½	643½	—	643
Britwell's Barrow .	36,850	62	—	62	—	—	—
Tewkesbury . .	23,500	490	—	490	190	—	190
Total . .	296,500	3,843½	260	3,583½	2,651½	—	2,651

II.—Proportionate Analysis of Areas Inclosed on Lay and Eccle-

Hundred	Proportion of total area inclosed to area of Hundreds	Proportion of inclosures remaining arable to total areas inclosed	Proportion of conversions and inclosures of pasture to total areas inclosed	Lay Manors					Ecclesiastical		
				Proportion of areas inclosed to total areas inclosed	Proportion of inclosures remaining arable to total areas inclosed	Proportion of inclosures remaining arable to total areas inclosed on lay manors	Proportion of conversions and inclosures of pasture to total areas inclosed	Proportion of conversions and inclosures of pasture to total areas inclosed on lay manors	Proportion of areas inclosed to total areas inclosed	Proportion of inclosures remaining arable to total areas inclosed	Proportion of inclosures remaining arable to total areas inclosed on ecclesiastical manor
Kiftsgate .	2·24	13·56	86·43	59·31	—	—	59·31	100	40·68	13·56	33·33
Whitstone .	·01	—	100	—	—	—	—	—	100	—	—
Berkeley .	·001	—	100	100	—	—	100	100	—	—	—
Grumbald Ash	1·64	—	100	100	—	—	100	100	—	—	—
Thornbury .	2·86	—	100	100	—	—	100	100	—	—	—
Britwell's Barrow .	·01	—	100	—	—	—	—	—	100	—	—
Tewkesbury .	2·08	—	100	100	—	—	100	100	—	—	—
Total .	1·29	6·76	93·23	68·97	—	—	68·97	100	31·01	6·76	21·81

FOR GLOUCESTERSHIRE

MANORS AND BY LAYMEN AND ECCLESIASTICS

Areas of inclosure on ecclesiastical manors			Lay Inclosures			Ecclesiastical Inclosures		
Total	Re-maining arable	Conversions and pasture areas inclosed	Total	Remain-ing arable	Conversions and pasture areas inclosed	Total	Re-maining arable	Conversions and pasture areas inclosed
acres	acres	acres	acres	acres	acres	acres	acres	acres
780	260	520	1,657	—	1,657	260	260	—
50	—	50	—	—	—	50	—	50
—	—	—	11	—	11	—	—	—
—	—	—	670	—	670	—	—	—
—	—	—	643½	—	643½	—	—	—
62	—	62	62	—	62	—	—	—
300	—	300	490	—	490	—	—	—
1,192	260	932	3·533½	—	3,533½	3·0	260	50

SIASTICAL MANORS AND OF INCLOSURES BY LAYMEN AND ECCLESIASTICS

Manors		Lay Inclosures					Ecclesiastical Inclosures				
Proportion of conver-sions and inclosures of pasture to total areas inclosed	Proportion of conver-sions and inclosures of pasture to total areas inclo-ed on ecclesias-tical manors	Proportion of areas inclosed to total areas inclosed	Proportion of inclosures remaining arable to total areas inclosed	Proportion of inclosures remaining arable to total areas inclosed by laymen	Proportion of conver-sions and inclosures of pasture to total areas inclosed	Proportion of conver-sions and inclosures of pasture to total areas inclosed by laymen	Proportion of areas inclosed to total areas inclosed	Proportion of inclosures remaining arable to total areas inclosed	Proportion of inclosures remaining arable to total areas inclosed by ecclesiastics	Proportion of conver-sions and inclosures of pasture to total areas inclosed	Proportion of conver-sions and inclosures of pasture to total areas inclosed by ecclesiastics
27·12	66·66	86·43	—	—	86·43	100	13·56	13·56	100	—	—
100	100	—	—	—	—	—	100	—	—	100	100
—	—	100	—	—	100	100	—	—	—	—	—
—	—	100	—	—	100	100	—	—	—	—	—
—	—	100	—	—	100	100	—	—	—	—	—
100	100	100	—	—	100	100	—	—	—	—	—
—	—	100	—	—	100	100	—	—	—	—	—
24·22	79·02	91·93	—	—	91·93	100	8·06	6·76	83·87	1·3	16·12

III.

ACTUAL INCLOSERS

LAYMEN			ECCLESIASTICS		
Hundred	Place	Acres	Hundred	Place	Acres
Kiftsgate	Weston Mawdytt	240			
Kiftsgate	Bradmarston	330			
Kiftsgate	Meene	170			
Kiftsgate	Meene	40			
Kiftsgate	Meene	38			
Kiftsgate	Meene	30			
Kiftsgate	Meene	32			
			Kiftsgate	Mykylton	260
Kiftsgate	Hydecote Bertram	340			
Kiftsgate	Clopton	120			
Kiftsgate	Campden	180			
Kiftsgate	Dumbleton	60			
			Whitstone	Quawsley	50
Berkeley	Hyll	11			
Grumbald's Ash	Duram	240			
Grumbald's Ash	Parua Sodbury	260			
Grumbald's Ash	Charfeld	170			
Thornebury	Thornebury	300			
Thornebury	Thornebury	163			
Thornebury	Thornebury	180½			
Britwell's Barrow	Colme Aylewyns	62			
Kiftsgate	Cokbury	77			
Tewkesbury	Dykston	190			
Tewkesbury	Dydcote	300			
		3,533½			310

IV.—Inclosures on Ecclesiastical Manors, whether by Ecclesiastics or Laymen

P.	Place	Acres	Inclosed by
54	Mykylton	260	ecclesiastic
54	Hydecote Bertram	340	lay tenant
54	Clopton	120	lay tenant
54	Dumbleton	60	lay tenant
55	Quawsley	50	ecclesiastic
57	Colme Aylewyns	62	lay tenant
57	Dydcote	300	lay tenant
	Total	1,192	

V.—LAND RENTALS

LAY	Acres	Rent per acre	ECCLESIASTICAL	Acres	Rent per acre
Weston Mawdytt	240	8½*d.*			
Bradmarston	330	8¾*d.*			
Meene	170	8¼*d.*			
Meene	40	7¼*d.*			
Meene	38	7*d.*			
Meene	30	6*d.*			
Meene	32	7¼*d.*			
			Mykylton	260	7¾*d.*
			Hydecote Bertram	340	8*d.*
Clopton	120	8*d.*			
Campden	180	8½*d.*			
			Dumbleton	60	4¼*d.*
			Nawesley	50	7¼*d.*
Hyll	11	5½*d.*			
Duram	240	8½*d.*			
Parua Sodbury	260	7*d.*			
Charfeld	170	4½*d.*			
Thornebury	(not given)				
Thornebury	(not given)				
Thornebury	(not given)				
			Colme Aylwynes	62	3¾*d.*
Cokbury	77	5*d.*			
Dykston	190	6*d.*			
			Dydcote	300	4¾*d.*

Taking the inclosed areas as units, and reckoning the Bradmarston case as of eleven inclosed areas, the average rent of land upon the land rented from laymen is 7*d.*, that of land rented from ecclesiastics not quite 6*d.* an acre.

In the above computation the land has been classified as lay or ecclesiastical according to the description given of the lessor in this return.

THE INQUISITION FOR GLOUCESTERSHIRE

(Lansd. MS. 1. fo. 182–184)

P. 53.—Swalow.

Gloucester.[1]

'Per transcriptum cuiusdam Inquisicionis indentate capte apud Cirencestriam in Comitatu Gloucestriensi xxviij^{uo} die Octobris anno regni nuper Regis Henrici viij^{ui} nono coram mauricio Barkeley milite & aliis commissionariis.'

The meaning of 'Swalow' is not apparent. Perhaps it was the name of the transcriber. See Trans. R. H. S. 1892, p. 175.

'Nuper' is an indication, the only one yet appearing, that this transcript, at least, was made in the reign of Edward VI. This suggests that it was made for the purpose of Hales's Commission.

The Commissioners for Gloucestershire, as also for the counties of Hereford and Worcester, were Charles Booth, Bishop of Hereford; Sir Maurice Barklay, Sir Rob. Poyntz, Sir Alex. Baynham, Sir Wm. Uvedale, Th. Poyntz, and Th. Matson (Br. 'Cal.' ii. 3297). Of these Sir M. Barklay, Sir R. Poyntz, and probably Th. Poyntz belonged to Gloucestershire. Baynham was also a Gloucestershire name. (For Sir W. Uvedale see Trans. R. H. S. 1893, p. 261). Sir M. Barklay of Berkeley Castle had been High Sheriff of the county in 1515-16 (Rudder's 'Gloucestershire,' p. 276); Sir R. Poyntz of Iron Acton, in 1491, 1494, and 1500. But this Commissioner could not have acted if Atkyns be correct ('Gloucestershire,' p. 105), that he died in 1516. The Commission is dated May 28, 1517.

It is to be noted that in Herefordshire the two Herefordshire Commissioners formed a quorum, which was in

[1] The MS. does not give the Hundreds. See p. 267 *supra*, *note* 1.

accordance with the provisions of the Commission. In Gloucestershire the chairman, at any rate, was the Gloucestershire Commissioner, Barklay. The two Commissions did not begin their sittings contemporaneously, that for Herefordshire being a month earlier.

'Edwardus Grevell miles apud Weston mawdytt in comitatu predicto inclusit cum sepibus & ffossis ducentas & quadraginta acras terre arrabilis & eas in pasturam conuertit de hereditate sua propria. Et valent per annum decem libras.'

Weston Mawdytt, *i.e.* Weston-upon-Avon. The manor was formerly the property of the Maudits, Earls of Warwick (Rudder, 807). It had been about a century in the hands of the Grevilles (Fosbrooke's 'Gloucestershire,' ii. 315).

No messuagia are mentioned in Gloucestershire. It may, however, be inferred from the Berkshire returns that in each of these cases, except that at Hyll, where eleven acres represents two inclosures, a house is included, and I have therefore estimated the rent of the land upon the basis explained in the introduction to Berkshire, p. 261, *supra*.

The rent of the land, deducting 15 per cent. for that of the house, would be 8½*d.* an acre.

'Thomas Busshell apud Bradmarston[1] in comitatu predicto anno xxij^{do} henrici vij^{mi} inclusit cum sepibus & ffossis cccxxx acras terre arrabilis vnde quattuor virgate terre continentes per estimacionem cxx acras sunt de hereditate Thome Aurdrede generosi Et alie quattuor virgate terre continentes per estimacionem cx acras terre sunt de hereditate Willelmi Duvytott generosi & tres virgate terre residue predictarum cccxxx acrarum continentes per estimacionem c acras terre sunt de hereditate Ricardi Rychemond. Et valent per annum xvj libras.'

The family of Busshell, or Bushel, had been lords of the manor of Broad Marston since 1265 (Rudder, p. 600; Atkyns, p. 452). Broad Marston is a hamlet in the parish of Pebworth, its exact area being unknown. That of the parish is 3,050 acres (Census of 1831, i. 212).

[1] 'Barmeston' struck out.

It is remarkable that no messuage is mentioned as belonging to so large an area. But the division into eleven virgates shows that it includes eleven homesteads with a virgate of land each (cp. p. 281 *supra*). Deducting 25 per cent. for the rent of each house, the rent of the land works out roughly at $8\frac{3}{4}d.$ an acre.

There are here three classes of virgates: (1) the normal virgate of 30 acres, (2) virgates of $27\frac{1}{2}$ acres, (3) virgates of $33\frac{1}{2}$ acres.

This entry suggests that the lord of the manor farmed freeholders' land and carried out the inclosures himself.

'Edwardus Grevell miles apud meene in comitatu predicto inclusit cum sepibus & ffossis centum & septuaginta acras terre arrabilis de hereditate sua propria & eas in pasturam conuertit. Et valent per annum septem libras.'

The Grevells were lords of the manor, which is in the parish of Queinton (Fosbrooke, ii. 317; Rudder, p. 616).

Assuming this to be one holding, and deducting 15 per cent. for the rent of the house, the rent of the land is about $8\frac{1}{4}d.$ an acre.

'Johannes Symondes apud meene in comitatu predicto inclusit cum sepibus & ffossis xl acras terre arrabilis de hereditate sua propria & eas in pasturam conuertit. Et quod valent per annum xxxij^{s} iiij^{d}.'

This is apparently an inclosure by a freeholder (see note to Thomas Busshell's inclosures, *supra*).

Deducting 25 per cent. for the rent of the house, the rental value of the land is about $7\frac{1}{4}d.$ an acre.

'Johannes Benett apud meene in comitatu inclusit cum sepibus & ffossis triginta & octo acras terre arrabilis de hereditate sua propria & eas conuertit in pasturam. Et quod valent per annum triginta solidos.'

Deducting 25 per cent. for the rent of the houses, the rent of the land is about $7d.$ an acre.

'Johannes Hewys apud mene predictum inclusit cum sepibus & ffossis de hereditate sua propria triginta acras terre

arrabilis & eas in pasturam animalium conuertit. Et quod valent per annum viginti solidos.'

Note that thirty acres is not here expressed as a virgate.

Deducting 25 per cent. for the rent of the house, the rent of the land is 6*d.* an acre.

'Alicia Huchyns apud meene predictum inclusit cum sepibus & ffossis de hereditate sua propria triginta & duas acras terre. Et quod valent per annum viginti & sex solidos.'

Deducting 25 per cent. for the rent of the house, that of the land is about 7¼*d.* an acre.

P. 54.—'Abbas monasterii de Eynesham in comitatu Oxoniensi anno secundo Regis henrici viij^{ui} apud mykylton in comitatu predicto cum sepibus & ffossis inclusit ducentas & sexaginta acras terre arrabilis de hereditate monasterii sui predicti. Et quod valent per annum decem libras.'

Deducting 15 per cent. for the rent of a house, the rent of the land is about 7¾*d.* an acre.

The Abbots of Ensham were lords of the manor (Fosbrooke, ii. 320).

Note that no mention is here made of conversion to pasture.

'Robertus Hunkes anno primo Regis Henrici viij^{ui} apud hydecote Bertram in comitatu predicto cum sepibus & ffossis inclusit cccxl acras terre arrabilis de hereditate monasterii de Evesham in comitatu Wigorniensi & eas in pasturam conuertit. Et quod valent per annum viginti marcas.'

R. H. was lessee of the Abbot, who was lord of the manors (Fosbrooke, ii. 320).

Deducting 15 per cent. for the rent of a house, the rent of the land is 8*d.* an acre.

'Thomas Rowys armiger anno xiij^{mo} Regis henrici vij^{mi} apud clopton in comitatu predicto cum sepibus & ffossis inclusit centum & viginti acras terre arrabilis de hereditate Johannis leighton armigeri & eas in pasturam conuertit. Et quod valent per annum centum solidos.'

The manor of Clopton belonged to the Abbey of Evesham (Fosbrooke, ii. 321 ; Dugdale, ii. 47).

Rowys must therefore have been lessee to Leighton, and Leighton a freeholder of the manors.

Deducting 20 per cent. for the rent of the house, the rent of the land is 8*d.* an acre.

'Ricardus porter de Campden & Willelmus porter filius predicti Ricardi iam defuncti anno tercio Regis henrici viij^{ui} apud Campden in comitatu predicto cum sepibus & ffossis incluserunt centum & octoginta acras terre arrabilis de hereditate Radulphi Josselyns & Christopheri Savage & eas in pasturam conuerterunt. Et quod valent per annum octo libras.'

The family of Savage were lords of one of the manors here, and R. Josselyns probably of the other (see Fosbrooke, ii 325–6). The inclosers were therefore tenants of the manors. There are plainly two inclosures. Assuming the acreage of each inclosure to be equal, and deducting 20 per cent. from the rental of each 90 acres for the rent of the house, that of the land is about 8½*d.* an acre.

'Johannes Easton anno primo Regis henrici viij^{ui} apud Dumbleton in comitatu predicto inclusit cum sepibus & ffossis sexaginta acras terre arrabilis de hereditate monasterii de Abyngton in comitatu Berkensi & eas in pasturam conuertit. Et quod valent per annum viginti sex solidos & quatuor denarios.'

Another inclosure on ecclesiastical property (Fosbrooke, ii. 298).

The rental here differs remarkably from those preceding, being only 4¼*d.* an acre. Is it that no messuage belonged to this area of 60 acres, while the rental of the messuage is reckoned in the other cases as part of the whole?

P. 55.—Gloucester.

'Per transcriptum cuiusdam Inquisicionis indentate capte apud Dodbury in comitatu Gloucestriensi xxij^{do} die Septembris anno nono Regis henrici viij^{ui} coram mauricio Barkeley & aliis commissionariis.'

Dodbury, apparently a copyist's error for Sodbury.

'Prior de lantony iuxta Gloucestriam anno secundo dicti nuper Regis henrici viij^ui^ apud Quawsley in comitatu predicto cum sepibus & palis inclusit quinquaginta acras terre de iure monasterii sui & eas in pasturam conuertit. Et quod valent per annum quadraginta solidos.'

'Nuper' must be the interpolation of the copyist. See p. 288 *supra*.

Quawsley, *i.e.* Quedesley or Quedgley, at which place the priory of Lantony held a manor (Dugdale, 'Monast.' VI. i. 140; Rudder, p. 612). For another inclosure by this priory see above, Herefordshire—Ffalley (Trans. R. H. S. 1893, p. 263).

'Palis,' a variation for the preceding 'ffossis.'

Deducting 25 per cent. for the rent of a house, the rent of the land amounts to 7¼*d.* an acre.

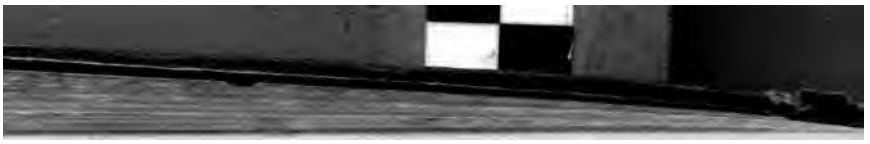
'Robertus poyntz miles anno septimo Regis henrici viij^ui^ augmentauit & elargauit parcum suum de hyll apud hyll in comitatu predicto & ad eundem pertinentes cum ffossis & palis inclusit & imparcauit septem acras terre de separalibus dominicis terris suis propriis ibidem Et quattuor acras separalis pasture quas tenentes dicti Roberti per copias curie occupauerunt ad voluntatem dicti Roberti. Et valent per annum quinque solidos.'

This is a remarkable entry. It is another evidence (see Trans. R. H. S. 1892, p. 179) that these Commissions were honestly executed, Sir R. P. being himself one of the Commissioners, although probably at this time dead. See the first entry, p. 288 *supra*.

The recital that the tenants occupied the common 'ad voluntatem' of the lord shows the interpretation put upon their rights by the incloser. The 'separalis pasture' apparently was held by him to belong to the demesne (see Trans. R. H. S. 1892, pp. 187–188).

The rent is about 5½*d.* an acre, making no allowance for a house (Trans. R. H. S. 1893, p. 246).

'Willelmus Denys armiger anno viij^uo^ Regis henrici viij^ui^ apud duram in comitatu predicto de nouo cum palis inclusit



imparcauit ducentas & quadraginta acras de separali terra pastura & boscis suis ibidem & de hereditate sua propria. Et valent per annum decem libras.

'Inclusit imparcauit' *sic.*

Duram, *i.e.* Dirham. The family of Denys, or Dennis, were lords of the manor (Fosbrooke, ii. 18).

'De nouo' looks as though the Act of 1488 had been enforced and suffered to lapse.

Deducting 15 per cent. for the rent of a house, that of the land is 8½*d.* an acre.

'Johannes Walsh armiger anno sexto Regis henrici viij^{ui} de nouo cum palis inclusit & imparcauit apud paruam Sodbury in comitatu predicto ducentas & sexaginta acras vnde ducente & viginti quattuor acre fuerunt pastura & sexdecim fuerunt pratum & viginti acre residue fuerunt boscus de pastura prati & bosci suis propriis & de sua propria hereditate. Et quod valent per annum nouem libras.'

The MS. is '& viginti acr. resid. fuer. bosc. de pastur. prat. & bosci suis propriis.'

The several kinds of land which formed the inclosure are not usually thus specified.

J. W. was lord of the manor (Fosbrooke, ii. 27).

Deducting 15 per cent. for the rent of a house, the rent of the land is about 7*d.* an acre.

'Ricardus horde armiger anno sexto Regis henrici viij^{ui} apud charfeld in comitatu predicto cum sepibus & ffossis inclusit centum & septuaginta acras terre de dominicis suis propriis & de hereditate sua propria & eas in pasturam conuertit. Et quod valent per annum quattuor libras.'

The Hordes were lords of the manor (Fosbrooke, ii. 37–8).

Deducting 20 per cent. for the rent of a house, that of the land is about 4½*d.* an acre.

P. 56.—'Per transcriptum cuiusdam Inquisicionis indentate capte apud Sodbury in comitatu Gloucestriensi xxij^{do} die Septembris anno nono Regis henrici viii^{ui} coram Mauricio Barkeley milite & aliis commissionariis.'

Gloucester.

'Edwardus dux Buckingham xxiiij^to^ die Nouembris anno xxiiij^to^ Regis henrici vij^mi^ apud Thornebury in comitatu predicto de nouo imparcauit in parcum suum ibidem vocatum le Newe parke centum septuaginta & duas acras terre de dominicis terris suis propriis & nonaginta & sex acras terre & triginta & duas acras pasture quas tenentes dicti ducis per copias curie ad voluntatem dicti ducis occupauerunt de hereditate dicti ducis.'

This was Edward Stafford, Duke of Buckingham, beheaded 1521. He founded Thornbury Castle.

This and the succeeding entries with reference to inclosures by this duke show that inclosures made with licence were not included in the Commission's report; for on July 9, 1510, he had licence to impark 1,000 acres of land in the parish of Thornbury, and a further licence for 500 on March 17, 1517 (Br. 'Cal.' i. 1157; ii. 3022).

On the legal aspects of these evictions see General Introduction. Trans. R. H. S. 1892, pp. 188–191.

Ninety-six acres is a carucate in a two-field system by the long hundred (Taylor on the Bovate, 'Notes and Queries,' 7th series, vol. ii. p. 481).

The care with which the precise dates of the month are given in the case of this duke's inclosures is noticeable.

Note that no rental value is given.

'Et idem dux decimo die Januarii anno sexto Regis henrici viij^ui^ elargauit parcum suum predictum vocatum Newparke et ad eundem apposuit & cum fossis & palis inclusit centum & sexdecim [1] acras terre de dominicis suis terris ibidem Et quadraginta & septem acras pasture quas tenentes dicti ducis per copias curie ad voluntatem dicti ducis occupauerunt de hereditate dicti ducis.'

The copyholders held the pasture only.

'Et idem dux decimo die Januarii anno sexto Regis henrici viij^ui^ elargaui(t) [2] parcum suum de morlewod apud Thornbury predictum & ad eundem apposuit & cum palis includi fecit centum sexaginta & quatuor acras terre ibidem de dominicis terris suis propriis & sexdecim acras pasture &

[1] 'Sexaginta' struck out. [2] MS. torn.

dimidium quas tenentes dicti ducis per copias curie ad voluntatem dicti ducis preantea occupauerunt de hereditate dicti ducis.'

The copyholders held the pasture only.

'Preantea,' which is not classical Latin, is apparently intended to indicate prescription by long occupation.

P. 57.—'Per transcriptum cuiusdam Inquisicionis capte apud Cirencestriam in comitatu predicto xxviij° die Octobris anno nono Regis henrici viij^{ui} coram mauricio[1] Barkeley milite & aliis commissionariis.'

Gloucester.

'Walterus Baker anno xij^{mo} Regis henrici vij^{mi} apud Colme aylewynes in comitatu predicto inclusit cum sepibus & ffossis sexaginta & duas acras terre & eas in pasturam conuertit de hereditate monasterii sancti petri Gloucestrie. Et quod valent per annum xxvj^{s} viij^{d}.'

Colme, now Coln.

The Abbey of Gloucester held the lordship of the manor, which still belongs to the Dean and Chapter (Fosbrooke, ii. 465).

W. B. was evidently a lay tenant.

Deducting 25 per cent. for the rent of a house, the rent of the land is about 3¾*d.* an acre.

'Per transcriptum cuiusdam Inquisicionis capte apud Cirencestriam in comitatu predicto xxviij^{uo} die Octobris nono [*sic !*] Regis henrici viij^{ui} coram mauricio Barkeley milite & aliis commissionariis.'

Gloucester.

'Thomas Escourt gentleman quarto die ffebruarii anno tercio Regis henrici viij^{ui} in Cokbury in comitatu predicto inclusit cum sepibus & ffossis septuaginta & septem acras terre arrabilis & eas in pasturam conuertit de hereditate domini lyle. Et valent per annum xl^{s}.'

The Estcourts were a family of considerable landed property in the county (Rudder, p. 654). From this record it appears that T. E. was a tenant of Lord Lyle.

[1] 'Marmaduco' struck out.

This Lord Lyle was John Grey, Viscount Lisle; died 1512 s.p.m. (Nicolas).

Cockbury is in Kiftsgate Hundred, and is therefore here out of its place.

It is to be noticed that in the case of inclosure upon this nobleman's estate, as in those of the Duke of Buckingham, the day of the month is entered. It may perhaps have been *ex majori cautela* on the part of the Commissioners in the case of influential persons, or possibly because the accounts of a nobleman's estate were more precisely kept.

Deducting 20 per cent. for the rent of a house, the rent of the land is nearly 5*d.* an acre.

'Thomas Hygford gentleman iam defunctus anno xxiij^{cio} Regis henrici vij^{mi} inclusit cum sepibus & ffossis in Dykston in comitatu predicto centum & nonaginta acras terre & eas in pasturam conuertit de hereditate ipsius Thome Hygford. Et valent per annum sex libras.'

The family of Hygford, or Hugford, were lords of the manor of Dixton (Fosbrooke, ii. 260).

Deducting 20 per cent. for the rent of a house, the rent of the land is slightly over 6*d.* an acre.

'Willelmus Smyth nuper de Tewkysbury in comitatu predicto gentleman anno xvj^{mo} Regis henrici vij^{mi} in dydcote in comitatu predicto cum sepibus & ffossis tres centas acras terre arrabilis inclusit & eas in pasturam conuertit de hereditate monasterii de Tewkysbury. Et quod valent per annum septem libras.'

Dydcote, or Dedcote, a tithing of Beckford (Atkyns, p. 134; Fosbrooke, ii. 287), but in the hundred of Tewkesbury (Rudder, 267). It was among the possessions of the Abbey of Tewkesbury. At the Dissolution the 'firma terrarum et tenementorum' belonging to the Abbey of Tewkesbury was returned at 7*l.* 6*s.* Computus of 33 H. 8 (1541), Dugdale, 'Monast.' ii. 84. Whether the 7*l.* 6*s.* represents the same area of land as the above record it is impossible to say, since it explicitly includes tenements, as to which this record is silent.

Deducting 15 per cent. for the rent of a house, the rent of the land slightly exceeds 4¾*d.* an acre.

CAMBRIDGESHIRE

INTRODUCTION

THE record for Cambridgeshire calls for little remark. The Lansdowne MS. only embraces five hundreds out of the seventeen into which the county is divided. It is difficult to restrain the suspicion that this is only a portion of the Inquisition. This is confirmed by the circumstance that the whole return for this county only represents one sitting of the Commission, with Sir Giles Alyngton as chairman; which he would scarcely have been had the Bishop of Ely been present. Moreover, though this Commission was also appointed for Hunts and Herts, we have no records from those counties.

The impartiality of the Cambridgeshire Inquisition is attested by the consideration enjoyed by some of the persons returned as inclosers. Such were Sir Robert Cotton, himself a Commissioner; Sir John Cutte, Under-Treasurer of England; Sir Robert Shiffield, Speaker of the House of Commons; and other gentry of position. On the other hand, there is not a single inclosure by an ecclesiastic, and this notwithstanding the large area of land in the county probably at that time possessed by the Colleges. A comparison of the Norfolk and Berkshire Inquisitions shows that ecclesiastics who were scholars were less alive to the prospects of gain by inclosure than the regular clergy. One inclosure of forty acres at Royston, out of a total of eleven, is on ecclesiastical land, and that apparently by a lay tenant.

Out of a total of 1,422 acres, only twelve were inclosed for sport, and none for improved arable farming. All the inclosers are laymen, and all the inclosures are upon lay

manors. The lords of the manors are themselves represented as taking an active part in the work, in which respect this return presents a contrast with that of Shropshire.

With respect to the displacement of population, a comparison of this return with that of Berkshire suggests grave doubt whether it has not been entirely overlooked.

It has been remarked in the introductions to the returns from Norfolk and Yorkshire that it is not safe to infer evictions from the mention of ploughs having been put down, at least in returns where evictions are specifically set out, though the inference from the destruction or ruin of a house is, of course, different. In this return there are only two places at which ploughs are mentioned as having been put down: Shyngey, where four ploughs, and Malton, where two ploughs, were put down. Throughout the return no mention is made of an eviction, and in one place only, Gamlyngay, is a house spoken of as destroyed. Yet the conversions include an area as large, in one case, as 250 acres. It is difficult, on comparing the Berkshire return, to avoid the conclusion that in the case of each of these eleven inclosures, with the exception of the first, which was an inclosure of twelve acres from the wastes of a manor for the purposes of sport, a house was put down, and an eviction took place. As in the Shropshire inquisition, a house and a plough are associated together, the natural inference is that at Shyngey four, and at Malton two, houses were destroyed. Excluding these, however, for reasons to which reference has already been made, we have the destruction of seven houses, and the eviction of about thirty-five persons, at the average of five to a household

I.—Analysis of the Inquisition for the County of Cambridge

Hundred	Area of hundred	Total area inclosed	Inclosures remaining arable	Conversions and pasture areas inclosed
	acres	acres	acres	acres
Cheveyley	12,867	12	—	12
Chesterton	16,599	350	—	350
Stowe	25,126	460	—	460
Armyngford	28,751	460	—	460
Whetely	18,559	140	—	140
Total	101,902	1,422	—	1,422

II.—Proportionate Analysis of the Inquisition for the County of Cambridge

Hundred	Proportion of total areas inclosed to area of hundred	Proportion of inclosures remaining arable to total areas inclosed	Proportion of conversions and inclosures of pasture to total areas inclosed
Cheveyley	·009	—	100
Chesterton	2·18	—	100
Stowe	1·83	—	100
Armyngford	1·59	—	100
Whetely	·07	—	100
Total	1·39	—	100

III.—The Aratrum in Cambridgeshire

Page	Place	Area assigned to an aratum
59	Shyngey	70 acres

Aratra Mentioned. No Area Assigned

Page	Place	Area
9	Malton	2 aratra

THE INQUISITION FOR CAMBRIDGESHIRE

(Lansd. MS. 1. fo. 186)

P. 58.—Comitatus Cantabrigiensis.

'Presentatum fuit per quandam Inquisicionem captam apud Cantebrigiam in comitatu predicto xij die Octobris anno vj^to^ nuper Regis henrici octaui coram Egidio alyngton milite & aliis commissionariis Regis in comitatu predicto in forma sequente videlicet.'

'Nuper Regis' is again to be noticed, as in the case of Gloucestershire, showing the Lansdowne MS. to be a copy of the date of Edward VI., and not the original return. Pp. 288, 293 *supra.*

The Commissioners for Cambs, Hunts, and Herts were Nicholas West, Bishop of Ely (1515–1533), a prelate much employed by Henry VIII. upon public business; Sir Robert Drury, who had been the King's Commissioner to Scotland (Br. 'Cal.' i. ii.) He was in the Commission for Norfolk and Suffolk (*ibid.* ii. 2503), and does not appear to have held lands in the counties for which he was Commissioner. Sir Giles Alington, a gentleman of large estate in Cambridgeshire, lord of the manors of Horseheath (Lysons, 'Cambridgeshire,' p. 216), Argentines in Melbourn (*ibid.* p. 234), Newmarket (*ibid.* p. 241), West Wickham (*ibid.* 281), etc. He had been High Sheriff for Cambs and Hunts in 1511 (Br. 'Cal.' i. 1949), and was afterwards Master of the Ordnance. The other members were Sir Robert Cotton of Landwade and Cheveley, Cambs, also a landowner of position (Lysons, p. 226); Francis Hasilden, lord of the manors of Guilden-Morden, Bancis Foxleys, and Pychards, in the same county (*ibid.* p. 237), and

who had served the office of High Sheriff of Cambs and Hunts in 1509 (Br. 'Cal' i. 664); and John à Wode, perhaps of Fulbourn and Stapleford (Lysons, pp. 198, 256), a magistrate for both Cambs and Hunts (Br. 'Cal.' i. ii. See Br. 'Cal.' ii. 3297).

HUNDRED DE CHEVELEY

'Quod Robertus Cotton miles inclusit duodecim acras terre arrabilis prope siluam vocatam Cheveyley in Comitatu predicto & terram illius cum silua predicta imparcauit circa annum secundum nuper Regis henrici octaui.'

This first entry shows the impartiality of the Commissioners, of whom Sir R. Cotton was an influential member. He was lord of the manor of Cheveley (Lysons, p. 163).

Note 'nuper Regis.' Pp. 288, 293, 301 *supra.*

HUNDRED DE CHELTERTON

Chelterton by copyist's blunder for Chesterton.

'Et presentatum fuit per aliam Inquisicionem captam apud Cantebrigiam in comitatu predicto coram prefatis commissionariis dicto die & anno.

'Quod Johannes Cutte miles post annum quartum nuper Regis henrici vij^{mi} inclusit & includi fecit ccl acras terre & pasture in Childerley in Comitatu predicto.'

Note the words 'nuper regis' applied here to Henry VII., probably transcribed from the original. Many other examples recur.

The recital is not, as in the preceding and following extracts, 'terre arrabilis.' The inference is that the 'terra' was simply the waste of the manor, as distinguished from recognised pasture.

Sir John Cutte only acquired this estate by purchase in the reign of Henry VII. He was Under-Treasurer of England, and had been High Sheriff of Cambs and Hunts in 1516 (Br. 'Cal.' ii. 2533). He had been one of the executors of

Henry VII. (*ibid.* pp. 1444, 1455). As a Crown official he also inclosed lands in East Yorkshire, at Carleton in Holderness and Skarlagh Benyngholme. Trans. R. H. S. 1893, p. 249.

'Et quod Thomas Thursby de comitatu Norffolciensi armiger vnum messuagium in Cotenham in decasum & ruinam permisit cum quo xl acre terre arrabilis xl acre prati ad firmam demitti solebant anno quarto nuper Regis henrici vij^{mi}.'

T. T. was lord of one of the manors here. He was reported by the Norfolk Commission as an incloser in that county (see Norfolk, *sub* Holt, Castellacre, etc.; Trans. R. H. S. 1893, pp. 135, 136, 153, 154, 170, 192). He was also a person of considerable position in Cambridgeshire, having served as High Sheriff for Cambs and Hunts in 1513 (Br. 'Cal.' i. 4544).

The recital clearly indicates conversion to pasture.

HUNDRED DE STOWE, *i.e.* LONG STOWE

'Presentatum fuit eciam per aliam Inquisicionem captam coram prefatis commissionariis apud Cantebrigiam dicto die anno & loco vt sequitur.

'Quod Robertus Sheffeld miles anno viij^{uo} nuper Regis henrici vij^{mi} inclusit vnam pasturam vocatam West Thorpe infra parochiam de Gamlyngay continentem per estimacionem cccc acras terre vnde tempore inclusarum predictarum centum acre terre fuerunt arrabiles.'

Sir R. S. was lord of the manor here (Lysons, p. 200). He had been Speaker in the House of Commons in 1512 (Br. 'Cal.' i. 2082; ii. p. 1459).

'Et quod Robertus Broughton miles anno vj^{to} nuper Regis henrici vij^{mi} inclusit in pasturam infra parochiam de Long Stowe lx acras terre que tempore inclausure predicte fuerunt terre arrabiles.'

The sixty acres points to a three-field system.

The family of Broughton held the lordship of the manor (Lysons, p. 258).

P. 59.—HUNDRED DE ARNYNGFORD

'Presentatum fuit insuper per aliam Inquisicionem captam apud Cantebrigiam coram prefatis Commissionariis dicto die & anno.

'Quod Thomas Grey de Royston inclusit vnam parcellam terre continentem quadraginta acras terre arrabilis infra campum de Steplenourdon que a tempore inclausure predicte in pasturam conuertuntur anno vj^to^ nuper Regis henrici vij^mi^.'

Steplenourdon, *i.e.* Morden.

Royston belonged to the Priory of Augustinian Canons (Cusson's 'Hertfordshire,' ii. 99). 'Gray's Close' occurs in a survey of the possessions of the priory there (*ibid.* p. 102), and T. G. was probably, therefore, a tenant of the prior. The manors of Steeple Morden were in lay hands (Lysons' 'Camb.' pp. 238–9).

'Et quod Thomas Castell anno tercio nuper Regis henrici viij^ui^ inclusit Centum acras terre pasture in Esthatley in quo inhabitantes ville predicte solebant habere communem pasturam infra eadem [*sic*].'

East Hatley, or Castell-Hatley, from the family of Castell, lords of this manor (Lysons, p. 209).

'Et quod Robertus Castell pater predicti Thome anno vj^to^ nuper Regis henrici vij^mi^ inclusit quadraginta acras terre arrabilis & illas in pasturam conuertit anno vj^to^ Regis henrici septimi.

'Et quod Thomas Sheffeld miles inclusit xiiij^xx^ acras terre in Shyngey per quod quatuor aratra deponuntur vnde ducente acre terre eorumdem vse fuerunt villagio anno xx^mo^ Regis henrici vij^mi^.'

This gives an average of 70 acres to an aratrum, somewhat larger than in Norfolk and other counties. See Trans. R. H. S. 1893, pp. 231, 260, 280.

This Sir T. Sheffeld was preceptor of the preceptory of the Knights Hospitallers at Shengay, to whom the manor belonged (Lysons, p. 251). See letter in Br. 'Cal.' i. 4562 (Nov. 15, 1513) from the Lieutenant and Council of Rhodes to

Henry VIII., mentioning 'Thos. Scefild, preceptor of our preceptory of Synghai and treasurer of the order in England.'

HUNDRED DE WHETELY

Whetely for Wetherley.

'Presentatum fuit eciam per aliam Inquisicionem captam apud Cantebrigiam in Comitatu predicto dicto die & anno coram prefatis comissionariis nuper Regis henrici viij^{ui}.

'Quod Willelmus Cheyne armiger circa annum ix^{um} Regis henrici vij^{mi} inclusit in quodam campo in Malton in Comitatu predicto vnum aratrum terre. Et quod willelmus Arnewold inclusit in eodem campo vnum aliud araratrum [*sic*] terre per quod duo aratra ibidem deponuntur.'

This inclosure took place in 1493. At a later date, 1505, the manor was sold by its lords, the family of Tyrrell, to Margaret, Countess of Richmond, and given by her to Christ's College, Cambridge (Lysons, p. 243). On p. 244 Lysons mentions that before this change of ownership the Church of Malton had become dilapidated and applied to profane uses. This is not mentioned by the Commissioners, though similar incidents are recorded in the Norfolk inquiry. Malton is described in Lysons' index as 'a depopulated parish and manor.'

The area of the 'aratrum' in this county, according to the Shyngey return, is seventy acres. The inclosures here, as may be inferred from the preceding quotation, must have been of some extent. It will not, therefore, be a transgression of probability if the Shyngey area be taken for the aratrum at Malton, which will give total inclosures of 140 acres.

The only figures given of the area of the 'aratrum' in this county are in the case of the Shyngey inclosure, where it is given as seventy acres. I have accepted this for the next inclosure at Malton, where two aratra are mentioned as inclosed without an equivalent acreage being assigned. Only one 'messuagium' is recorded to have been destroyed, and there is no mention of evictions. There are two cases of encroachment upon the rights of commoners.

SHROPSHIRE

INTRODUCTION

The inquisition for Shropshire presents some features of its own. There is an unusual number of small inclosures. At one place, Hopsey, there are eight, for the most part of areas so insignificant that seven of them only make up eighteen acres among them. In the parish of Norbury there are six inclosures, amounting in total area to 106 acres. The small inclosures suggest partitions among commoners. Many of them were not made for the purpose of conversion to pasture, and are therefore indicative of improved arable farming. It is not possible, with the means at present at our disposal, to determine, with a reasonable margin, the areas inclosed upon lay and ecclesiastical manors respectively. So far as the sixteenth century is concerned the county histories of Shropshire are unsatisfactory. The technical recital used in this record 'seisitus in dominico suo vt de feodo' was common to all freeholders, whether to the lords of manors in that capacity, wherein they were distinguished from the copyholders, or to freeholders of the manor (see Coke, 'Complete Copyholder,' § 12). The phrase recurs with greater frequency in this than in the other Inquisitions, indicating that the proportion of freehold to copyhold tenants was here larger than elsewhere. Of this we have evidence from other sources. Eyton, the historian of the county, speaking of the numerous places belonging to the Priory of Wenlock, says: 'In many of these places the Priors of Wenlock granted very early

feoffments, so as more or less to separate the members from the central manor' (iii. 223).

In the case of Shropshire, then, we are compelled to consider exclusively the actual inclosers as given us in this record. Despite their extensive possessions, ecclesiastics as inclosers play an extraordinarily small part. Their total inclosures amount to no more than seventy-seven acres, or 4·36 of the whole area inclosed. The whole of these inclosures are for pasture farming. With the exception of the small inclosures already mentioned, this may be said, in fact, of the laity also. Inclosures for parks amount to as much as 214 acres, or 12·12 of the whole. All of these were executed by laymen. The other statistics of principal interest are as follows:—

——	—	By Laymen	By Ecclesiastics
Houses decayed . . .	58	53	5
Ploughs put down . . .	58	53	5
Persons evicted . . .	344	314	30

This gives an average of six persons to a plough and six to a house. Clearly this number was adopted as that of a normal household. This is somewhat unfavourable to the ecclesiastics as landlords, since it represents a percentage upon the total number of evictions of 8·72 per cent., whereas the area of land inclosed by them, as compared with the total area inclosed, is only 4·36 per cent. It is accounted for by the great number of small inclosures by the cultivators themselves already referred to, in which naturally no evictions took place.

Forty-six inclosures give an average of slightly over twenty-one acres to an aratrum in this county.

ANALYSIS OF THE INQUISITION FOR SALOP

I.—Areas Inclosed by Laymen and Ecclesiastics

Hundred	Area of hundred	Total area inclosed	Inclosures remaining arable	Conversions and pasture areas inclosed	Lay Inclosures			Ecclesiastical Inclosures		
					Total areas inclosed	Remaining arable	Conversions and pasture areas inclosed	Total areas inclosed	Remaining arable	Conversions and pasture areas inclosed
	acres	acres	acres	acres	acres	acres	acres	acres	acres	acres
Purslowe	105 930	360	230	130	326	230	96	34	—	34
Wenlock Franchise	45,590	430	—	430	430	—	430	—	—	—
Ford	39,000	38	—	38	38	—	38	—	—	—
Brymstree	60,690	100	—	100	100	—	100	—	—	—
Bradford	197,810	74	—	74	74	—	74	—	—	—
Pymhyll	64,460	100	—	100	100	—	100	—	—	—
Munslowe	84,500	346	—	346	326	—	326	20	—	20
Coundor	42,110	317	32	285	294	29	265	23	3	20
Total	640,090	1,765	262	1,503	1,688	259	1,429	77	3	74

II.—Profortionate Analysis of Areas Inclosed by Laymen and Ecclesiastics

Hundred	Proportion of total areas inclosed to area of hundred	Proportion of inclosures remaining arable to total areas inclosed	Proportion of conversions and inclosures of pasture to total areas inclosed	Lay Inclosures					Ecclesiastical Inclosures				
				Proportion of areas inclosed to total areas inclosed	Proportion of inclosures remaining arable to total areas inclosed	Proportion of inclosures remaining arable to total areas inclosed by laymen	Proportion of conversions and inclosures of pasture to total areas inclosed	Proportion of conversions and inclosures of pasture to total areas inclosed by laymen	Proportion of areas inclosed to total areas inclosed	Proportion of inclosures remaining arable to total areas inclosed	Proportion of inclosures remaining arable to total areas inclosed by ecclesiastics	Proportion of conversions and inclosures of pasture to total areas inclosed	Proportion of conversions and inclosures of pasture to total areas inclosed by ecclesiastics
Purslowe	·03	63·88	36·11	90·55	63·88	70·55	26·66	29·41	9·44	—	—	9·44	100
Wenlock Franchise	·09	—	100	100	—	—	100	100	—	—	—	—	—
Ford	·009	—	100	100	—	—	100	100	—	—	—	—	—
Brymstree	·01	—	100	100	—	—	100	100	—	—	—	—	—
Bradford	·003	—	100	100	—	—	100	100	—	—	—	—	—
Pymhyll	·01	—	100	100	—	—	100	100	—	—	—	—	—
Munslowe	·04	—	100	94·21	—	—	94·21	100	5·78	—	—	5·78	100
Coundor	·07	10·09	89·9	92·74	9·14	9·86	83·59	90·13	7·25	09	13·04	6·62	100
Total	—	—	—	95·58	14·4	15·38	80·96	84·9	4·36	·01	3·89	4·19	96·1

III.—AREAS, &c. ASSIGNED TO AN ARATRUM IN THE INQUISITION FOR SALOP

Page	Place	Acres	Population	House
61	Purslowe	15 (30 acres = 2 ar.)	6 (12 to 2 ar.)	'mansio' ('mansionibus')
62	Boculton	20 (40 acres = 2 ar.)	6 (12 to 2 ar.)	{messuagium 'mansio'} ('mansionibus')
63	Newton	20	6	1 ('a tenuris')
63	Kynston	20	6	1 ('vt supra')
63	Le More	20	6	1 ,,
63	Normycote	20	6	1 ,,
63	Cleastaunton	20	6	1 ,,
63	Ditton	20	6	1 ,,
63	Weston	20	6	1 ,,
64	Patton	20	6	1 ,,
64	Burton	20	6	1 ,,
64	Larden	20	6	1 ,,
64	Posenall	20	6	1 ,,
64	Bradley	20	6	1 ,,
64	Bentall	20	6	1 ,,
64	Bore Assheley	20	6	1 ,,
64	Brocton	20	6	1 ,,
64	Longfelde	20	6	1 ,,
64	Astwall	20	6	1 ,,
64	Wallerton	20	6	1 ,,
65	Sutton	20	6	1 ,,
65	Brocton	20	6	1 ,,
65	Knoll	20	6	1 ,,
66	Sondeley	10 (20 acres = 2 ar.)	8	
66	Byrcote	24	6	1 ,,
66	Lawley	18	6	1 ,,
67	Boorch	20	6	1 ,,
67	Mylford	20 (40 acres = 2 ar.)	6 (12 = 2 ar.)	1 ,,
67	Corfham	20 (40 acres = 22 ar.)	6 (12 = 2 ar.	1 ,,
67	Downton	20 (40 acres = 2 ar.)	6 (12 = 2 ar.)	1 ,,
67	Weyve	20	6	1 ,,
67	Henley	20	6	1 ,,
67	Alcunston	20	6	1 ,,
67	Middlinghope	20	6	1 ,,
68	Stone Acton	20	6	1 ,,
68	Long Stanton	20	6	1 ,,
68	Gretton	20	6	1 ,,
68	Dutmaston	40	6	1 ,,
68	Ebdon Burnell	20	6	1 ,,
68	Longnor	20	6	1 ,,
68	Longnor	40	6	1 ,,
68	Magna Lethe	40	6	1 ,,
69	Kenles	20 (80 acres = 4 ar.)	6	1 ,,
69	Belswardyn	40	6	1 ,,
69	Counde	25	6	1 ,,
69	Lebot Wode	10 (20 acres = 2 ar.	6	1 'a tenuris & mansionibus'

Average area assigned to an aratrum, 121½ acres.

THE INQUISITION FOR SHROPSHIRE

(Lansd. MS. 1. fo. 189–193)

SALOP

P. 60.—HUNDRED DE PURSLOWE

'Inquisicio capta apud Salop capta sexto die Octobris anno nono Regis henrici viij^{ui} coram Galfrido Coventry & lichfeld Episcopo & aliis Commissionariis in Comitatu predicto ad Inquirendum per sacramentum proborum & legalium hominum quot ville domus & edificia a ffesto sancti michaelis archangeli anno quarto Regis henrici vij^{mi} prosternentes Et que & quante terre que tunc erant in Cultura in pasturam conuertentes Necnon quot & quanti parci pro fferis nutriendis citra idem ffestum includentes ac de aliis circumstanciis &c. qui presentant modo & forma sequente, videlicet.'

'Prosternentes,' 'conuertentes,' 'includentes,' by copyist's blunder for '-ur.'

The Commissioners for Salop were also those for Staffordshire, Notts and Derbyshire, Cheshire and Lancashire. They were Dr. Jeffery Blythe, Bishop of Coventry and Lichfield (1503–34) and Master of King's Hall in Cambridge; Edward Sutton, Lord Dudley, interested as guardian by patent (July 28, 1517) of John Grey, Lord Powes, in lands in this county (Br. 'Cal.' ii. 3530); Sir Thomas Leighton, a magistrate and landowner (Br. 'Cal.' i. 918, 1981, 4827, etc.; see under Corston, *infra*); Sir Thomas A' Cornwayle, otherwise Sir Thomas Cornwall, of Burford, Salop (Br. 'Cal.' i. 3166), who was steward of the lands of Elizabeth Grey, Viscountess Lysle, in that county, at Whethill, Sydenhall, Aschefelds, Lynley, Booldon, Mydilhope, Aston, Neynton, and Briggenorth (*ibid.* 4071). He is styled Baron of Burford in the muster roll of the king's army of 1513 (*ibid.* 4253),

though this title is not recognised in this Commission, nor in Nicolas's 'Historic Peerages.' Sir Thomas Cornwall had served as Sheriff of Salop in 1515 (*id.* ii. 1120). The last of the five Commissioners was John Gifford of Chillington, Staffordshire, Gentleman Usher of the Chamber (Br. 'Cal.' i. 3244), High Sheriff of Staffordshire in 1509 (*ibid.* 664), and a considerable landowner in that county (see Erdeswick, p. 159).

'Quod Ricardus Rychard fuit seisitus de xl acris terre arrabilis & culture vsitate & apte in hopeshaye in comitatu predicto & sic inde seisitus predictas terras iiij^to^ die Aprilis anno septimo Regis henrici viij^ui^ sepibus & ffossis inclusit & illas sic inclusas a cultura in pasturam animalium conuertit.'

'Item quod Ricardus Weyuer anno xx^mo^ Regis henrici vij^mi^ inclusit duas acras terre arrabilis in Hopsey.'

No conversion mentioned, nor in the following cases in Hopesay:—

'Et quod henricus Rogers eodem anno inclusit vnam acram terre ibidem.

'Et quod Matheus Morres eodem anno inclusit sex acras terre arrabilis ibidem.

'Et quod Ricardus Rychard senior eodem anno inclusit vnam acram terre arrabilis ibidem.

'Et quod Willelmus Okeley eodem anno inclusit quatuor acras terre arrabilis ibidem.

'Et quod Henricus Rogers eodem anno inclusit duas acras terre arrabilis ibidem.

'Et quod Johannes Wylliams eodem anno inclusit duas acras terre arrabilis ibidem.'

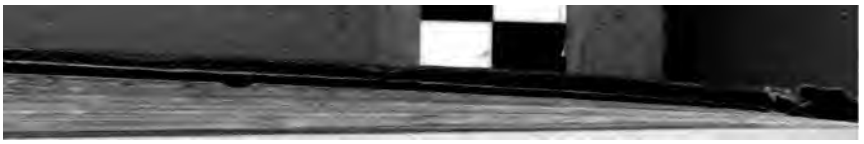
The above simultaneous inclosures point to partition by agreement among commoners.

'Et quod Griffith in anno tercio Henrici viij inclusit iiij^or^ acras terre arrabilis in hopton in comitatu predicto.

'Et quod Ricardus madok eodem anno inclusit tres acras terre arrabilis ibidem.

'Et quod Johannes lewes eodem anno inclusit duas acras terre arrabilis ibidem.

P. 61.—'Et quod Ricardus horeley fuit seisitus in



dominico suo vt de feodo de xxvj acris terre arrabilis & granorum seminacioni vsitate & [1] in Buknell in Comitatu predicto & sic inde seisitus x^mo^ die Marcii anno sexto henrici viij^ui^ predictas xxvj acras terre sepibus & ffossis inclusit & illas sic inclusas in pasturam animalium conuertit.'

R. H. as lord of the manor inclosed and converted to pasture twenty-six acres. For the recital 'in dominico suo vt de feodo' see Coke upon Littleton, § 12.

'Et quod Joannes Weyuer eodem anno inclusit septem acras terre arrabilis ibidem.

'Et quod hugo Weyuer eodem anno inclusit vnam acram terre arrabilis ibidem.

'Et quod Matheus Philippe eodem anno inclusit vnam acram terre arrabilis ibidem.

'Et quod Galfridus Reynold eodem anno inclusit duas acras terre arrabilis ibidem.

'Et quod Willelmus hikkis eodem anno inclusit vnam acram terre arrabilis ibidem.

'Et quod prior de Wenloke fuit seisitus in iure monasterii sui de xxx acris terre arrabilis & culture apte in purslowe in comitatu predicto & sic inde seisitus iiij^to^ die marcii anno quinto henrici viij^ui^ predictas xxx acras sepibus & ffossis [*sic!*] & illas sic inclusas in pasturam conuertit per quod duo aratra deponuntur & xij^cim^ persone que ibidem occupari solebant ea occasione a tenura & mansionibus suis lamentabiliter recesserunt & in ocium perducti sunt.'

Purslowe was in the parish of Clunbury, of which manor the Cluniac Priory of Wenlock held the lordship at the Dissolution (Dugdale, 'Monast.' v. 81).

Note an 'aratrum' here only fifteen acres, and six persons assigned to it.

'Mansiones.' The use of this word for dwellings upon ecclesiastical estates has already been noticed. Trans. R. H. S. 1893, p. 168.

The word 'manentes' is defined in Du Cange as follows: 'Inquilini coloni. Sed proprie manentes sunt (inquit Rem-

[1] 'Apte' struck out.

fredus qui sub Frederico II. vixit) qui in solo alieno manent in villis quibus nec liberis suis invito domino licet recedere. Isti præstant aliquando certos redditus et præstant certa servitia.' This corresponds to the case of English 'nativi' holding lands on a customary tenure. 'Culturas villæ de Tullies quas Mansionarii colendas tenebant ad indominicatum Ecclesiæ revocavit' (apud Sugerium Constit. 2 tom. 4; 'Hist. Franc.,' p. 548). We also read of 'liberi manentes.' In the 'Historia Monasterii de Abingdon' (Rolls series, vol. ii.) 'mansus,' 'mansa,' and 'mansura' each appear as equivalent to a hide of land; but 'mansio' does not occur. 'Mansa' also means a farm. All the documents in which these words occur date from a period before the Conquest. It is possible that at a time when monastic buildings and even the houses of important personages were insignificant in size, the duty was assigned to certain of the tenantry, etc., of finding shelter and hospitality for wayfarers in lieu of paying rent, and that from this the name 'mansio,' or lodging house, with its cognate equivalents, was generally applied to the dwellings of the ecclesiastical tenantry, the relief of the wayfarer being a recognised duty of the Church. 'Sunt quidam Episcopi qui exigunt ut Mansiones quibus in profectione uti debuerant aliquo pretio redimant qui parare debebant' (Burchard, lib. 1, cap. 229; Concil. Tribur., can. 26). This suggestion would account for the large area of land with which the 'mansio' was associated, and would explain Bracton's definition of 'mansio' as a dwelling 'constructa ex pluribus domibus, vel una, quæ erit habitatio et sola sine vicino . . . et ad unam mansionem pertinere potuerunt plura tenementa' (IV. 5, 1). It is remarked by Kelham, 'Illustr. of Domesday,' p. 267, that 'Mansio and Domus seem to be distinguished, but wherein the difference consisted is not easy to say.' It would be interesting to examine whether Domesday applies 'mansio' exclusively or generally to houses upon ecclesiastical land (see 'General Introd. to Domesday,' Sir H. Ellis, London, 1833, i. 241; 'An Inquiry into the Origin of Copyhold Tenure,' G. Beaumont, London, 1835; p. 43).

'Et quod Gryffyth morres eodem anno inclusit x acras terre arrabilis in Coston in comitatu predicto & easdem in pasturam conuertit.

'Et quod Willelmus Baker fuit seisitus in dominico suo vt de feodo de xx^{ti} acris terre arrabilis & cultui vsitate in ledome & sic seisitus secundo die marcii anno primo Regis henrici viij^{ui} predictas xx acras terre sepibus & fossis inclusit & sic inclusas a cultura in pasturam animalium conuertit.'

Ledome, in 'Domesday' Lidum, now Lydham.

Inclosure on demesne lands not accompanied by evictions. Cp. Horeley's inclosure at Buknell, p. 311 *supra*, and that at Brystwyke, York, E.R. Trans. R. H. S. 1893, p. 246.

'Et quod Willelmus Cleyton in anno xviij^{uo} henrici vij^{mi} inclusit x acras terre arrabilis in Willer in comitatu & illas sic inclusas in pasturam conuertit.'

Willer, qu. Willey, in the franchise of Wenlock.

'Et quod Edwardus Adams anno primo henrici viij^{ui} inclusit sex acras terre arrabilis in Beeston in comitatu predicto.'

Beeston, *i.e.* Bedstone, formerly Bedeston.

'Et quod Johannes Weyuer eodem anno inclusit duas acras terre arrabilis ibidem.

'Et quod Thomas Shelmyk clericus eodem anno inclusit quatuor acras terre arrabilis ibidem.'

Presumably an inclosure by the rector of the parish.

These three inclosures at Beeston were not accompanied by conversion to pasture.

'Et quod Ricardus Jamez eodem anno inclusit xij acras terre arrabilis in Eydon in comitatu predicto.'

Eydon, *i.e.* Eyton, in the parish of North Lydbury.

P. 62.—'Et quod Thomas James eodem anno inclusit decem acras terre arrabilis ibidem.

'Et quod Rogerus James eodem anno inclusit iiij^{or} acras terre arrabilis ibidem.

'Et quod Rogerus Apynon in anno sexto henrici viij^{ui} inclusit quatuor acras terre arrabilis in Brynslowe in comitatu predicto & easdem in pasturam conuerterunt [*sic !*].'

Brynslowe, *i.e.* Brunslow.

'Et quod domina lyngen fuit seisita in dominico suo vt de feodo de xl acris bosci communis & sic inde seisita primo die marcii anno xx^mo^ Regis henrici vij^mi^ predictas xl acras bosci sepibus & fossis inclusit duas acras terre arrabilis in Norbury in comitatu predicto [*sic!*].'

Apparently the widow or wife of Sir John Lengyen, High Sheriff of Herefordshire in 1516 (Br. 'Cal.' ii. 2533). A freeholder (see note on Cleastaunton, p. 318 *infra*). Norbury belonged to the Bishop of Hereford's manor of North Lydbury (Eyton, xi. 214).

'Fossis inclusit duas,' etc. I think this must be a copyist's mistake for 'inclusit. Inclusit duas,' etc., marking two separate inclosures; or 'et' has been omitted after 'inclusit.'

Wood might be inclosed under the statutes of Merton and Westminster, subject to the rights of the freeholders only (Digby, p. 163 etc.)

The precise mention of the date in the case of persons of quality as in that of the Duke of Buckingham's inclosures at Thornbury, Gloucestershire (p. 295 *supra*), perhaps due to their keeping accounts.

'Et quod Johannes home eodem anno inclusit duas acras terre arrabilis ibidem.

'Et quod villata de Whitecote eodem anno inclusit xl acras terre arrabilis in Whitecote predicto.'

This is a remarkable entry. It is the second record in this Inquisition of the ancient practice of communal agriculture. See note on the case of Wyndeferthing, Norfolk, Trans. R. H. S. 1893, p. 204, where it was actually carried on by one township within the area of another. In the Wyndeferthing case there was a conversion to pasture. The Whitecote entry may point to inclosure and partition. It is to be remarked that Whitecote, now Whitcott, is also in the parish of Norbury. On the villata see Selden Soc. ii. pp. 163, 172.

'Et quod Johannes hikkis eodem anno inclusit duas acras terre arrabilis ibidem.

'Et quod Johannes home eodem anno inclusit xx acras terre arrabilis in herdwyk in comitatu predicto.'

Hardwick is a township also in the parish of Norbury.

'Et quod Willelmus ffippes eodem anno inclusit xl acras terre communis de terra abbatis de Buyldwas in Kynerton marshe.'

Buyldwas, *i.e.* Buildewas or Buldwas, a Cistercian abbey. Dugdale, 'Monast.' v. 358, gives an undated charter of Richard, son of Richard Corbet of Kynwarton, granting 'monachis de Buldewas totam Kynwerton cum omnibus pertinentiis,' etc.

This record shows that an inclosure was made by a lay tenant with the Abbot's consent.

'Et quod Johannes Jennes in anno xij^{mo} henrici vij^{mi} inclusit quinque acras terre arrabilis in Astonton in Comitatu predicto.'

Astonton, *i.e.* Asterton, probably by copyist's blunder for 'Astorton.' This place, together with Norbury Whitcott and Hardwick, was 'in ancient times' part of the Bishop of Hereford's manor of Lydbury North (Anderson's 'Shropshire,' p. 473).

'Et quod Johannes Clerk eodem anno inclusit duas acras terre arrabilis ibidem & easdem omnes in pasturam conuertit.'

Libertas de Wenlok

'Presentatum fuit coram prefatis commissionariis die & anno predicto Quod Johannes Corbett fuit seisitus in dominico suo vt de feodo de duobus messuagiis & xl acris terre arrabilis & culture vsitate & apte in Boculton in Comitatu predicto. Et sic seisitus primo die aprilis anno tercio henrici viij^{ui} predicta messuagia & xl acras sepibus & fossis inclusit & illas sic inclusas a cultura in pasturam animalium conuertit per quod duo aratra deponebantur & xij^{cim} persone que in eisdem occupari solebant ea occasione a tenura & mansionibus suis recesserunt & in ocium perducti sunt.'

According to Anderson, p 253, Bockleton was included in the Domesday manor of Godestoch, which belonged to the Priory of Wenlock. Afterwards the manor was called Stoke

St. Milburg (Eyton, iv. 7, 8). Note the use of 'mansio,' which seems generally to denote ecclesiastical land (see note on Purslowe, p. 312 *supra*. See also note to Cleastaunton, p. 318 *infra*).

A franchise or liberty indicated generally immunity from certain tolls or taxes; sometimes a place where the king's writ did not run (Blount, Cowel).

P. 63.—'Et quod Edwardus Blount fuit seisitus in dominico suo vt de feodo de viginti acris terre arrabilis & culture apte & vsitate in Newton in Comitatu predicto & sic inde seisitus die & anno predicto predictas xx acras sepibus & fossis inclusit & illas sic inclusas in pasturam animalium conuertit per quod vnum aratrum deponitur & sex persone que ibidem occupare solebant ea occasione a tenuris suis recesserunt & iam ociosi existunt.'

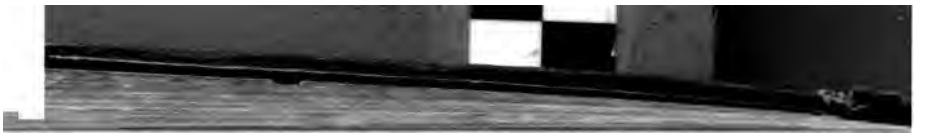
Newton, or Newtown, part of the manor of Stoke St. Milburg, belonging to Wenlock Priory (Eyton, iv. 7).

'Et quod Ricardus Court fuit seisitus in dominico suo vt de feodo de xx^{ti} acris terre arrabilis & culture vsitate in kynston in Comitatu predicto. Et sic inde seisitus iiij^{to} die marcii anno xij^{mo} Regis henrici vij^{mi} predictas xx acras sepibus & ffossis inclusit & illas sic inclusas in pasturam conuertit per quod vnum aratrum deponitur & sex persone que ibidem occupare solebant ea occasione a tenuris suis re cesserunt & in ocium perducti sunt.'

Kynston, *i.e.* Kinson, part of the manor of Stoke St. Milburg (Anderson, p. 253; Eyton, iv. 7, 10).

'A tenuris suis' I take here and in the preceding and following entry to be equivalent to 'a tenura & mansionibus suis' of the previous entry. As forty acres, twelve persons, and 'mansiones' accompany two ploughs, I have taken one messuage as indicated by 'ut supra' in the following entries:

'Et quod henricus Wall fuit seisitus in dominico suo vt de feodo de xx acris terre & [*sic*] culture vsitate in in [*sic!*] Downton in comitatu predicto. Et sic inde seisitus xij^{mo} die Maii anno predicto predictas xx acras sepibus & ffossis inclusit & sic inclusas & illas sic inclusas [*sic*] in pasturam conuertit



per quod vnum aratrum deponitur & sex persone que ibidem occupare solebant ea occasione a tenuris suis recesserunt & iam ociosi existunt.'

Clee-Downton, also part of the Domesday manor of Godestoch (Anderson, *l.c.*) and of the later manor of Stoke St. Milburg (Eyton, *l.c.*)

'Et quod Willelmus Bysshopp fuit seisitus in dominico suo vt de feodo de xx acris terre arrabilis & culture vsitate in le More in Comitatu predicto & sic inde seisitus decimo die aprilis anno primo henrici viij^{ui} predictas xx acras sepibus & fossis inclusit & sic inclusas in pasturam conuertit per quod vnum aratrum deponitur vt supra.'

'Vt supra' clearly indicates, I think, that the consequence of the plough being put down was the rendering idle of six persons, as before.

Le More was part of the Domesday manor of Godestoch (Anderson, *l.c.*) and of the Priory's manor of Stoke St. Milburg (Eyton, *l.c.*)

'Et quod Willelmus aleyn fuit seisitus in dominico suo vt de feodo de xx acris terre & [*sic*] cultui vsitate in Normycote in Comitatu predicto & sic inde seisitus predicto die & anno predictas xx^{ti} acras sepibus & fossis inclusit & illas sic inclusas in pasturam conuertit per quod vnum aratrum deponitur vt supra.'

Norncott was also part of the Domesday manor of Godestoch and of the Priory's manor of Stoke St. Milburg. It was reckoned (Anderson *l.c.*) in 'the foreign' of this manor (Eyton, iv. 13). Edward Lytelton held it of the Priory (*ibid.*)

'Et quod ffulke Walker fuit seisitus in dominico suo vt de feodo de xx acris terre arrabilis culture apte & vsitate in Cleastaunton in Comitatu predicto & sic inde seisitus primo die augusti anno predicto predictas xx acras sepibus & ffossis inclusit & illas sic inclusas in pasturam conuertit per quod vnum arratrum deponitur & sex persone vt supra.'

This, like the preceding entries *sub* 'Libertas de Wenlok,' was in the Priory of Wenlok, which appears to have alienated

half of it at the end of the twelfth century to the family of Clinton by a subinfeudation (see Eyton, v. 113). At the Dissolution the Priory was returned as owning the lordship of the manor (Dugdale, 'Monast.' v. 81). The next entry also records an inclosure in a place of which the Priory owned the lordship of the manor. The inference is that this phrase 'in dominico suo vt de feodo' is used with technical propriety to describe freeholders, and that in this Inquisition the absence of the phrase denotes copyhold or other tenancy. The small area of the inclosures also renders this probable.

'Et quod Willelmus Smalman fuit seisitus in dominico suo vt de feodo de xx acris terre arrabilis & cultui vsitate in Ditton in Comitatu predicto & sic inde seisitus predicto die & anno predictas xx acras sepibus & ffossis inclusit & illas sic inclusas in pasturam conuertit per quod vnum aratrum deponitur vt supra.'

Ditton, or Ditton Priors, or Dutton, was also a manor of the Priory of Wenlock (Dugdale, 'Monast.' v. 87).

'Et quod Ricardus[1] Barbour fuit seisitus in dominico suo vt de feodo de xx^{ti} acris terre arrabilis & culture vsitate in Weston in Comitatu predicto & sic inde seisitus predictas xx acras dicto die & anno sepibus & ffossis inclusit & illas sic inclusas in pasturam conuertit per quod vnum aratrum deponitur vt supra.'

Weston also belonged to Wenlock Priory as part of the manor of Oxenbold (Anderson, p. 267; Dugdale, 'Monast.' v. 81). See note to Cleastaunton, p. 318 *supra*.

P. 64.—'Et quod Willelmus Blakewey fuit seisitus in dominico suo vt de ffeodo de xx acris terre arrabilis in patton in Comitatu predicto & sic inde seisitus predictis die & anno predictas viginti acras sepibus & fossis inclusit & illas sic inclusas in pasturam conuertit per quod vnum aratrum deponitur vt supra.'

The Priory of Wenlock held the lordship of the manor of Patton (Dugdale, v. 80).

'Et quod Willelmus Wilcokes fuit seisitus in dominico

[1] 'Willelmus' struck out.

suo vt de feodo de viginti acris terre arrabilis in Burton in Comitatu predicto & sic inde seisitus predictis die & anno predictas viginti acras sepibus & ffossis inclusit & illas sic inclusas in pasturam conuertit per quod vnum aratrum deponitur vt supra.'

The Priory of Wenlock held the lordship of the manor of Burton (Eyton, iv. 302).

'Et quod Willelmus More fuit seisitus in dominico suo vt de feodo de xx acris terre arrabilis in Larden in Comitatu predicto & sic inde seisitus predictis die & anno predictas viginti acras sepibus & fossis inclusit & illas sic inclusas in pasturam conuertit, per quod vnum aratrum deponitur vt supra.'

Larden, or Laverden, was a manor of the same priory. Eyton mentions that the Prior 'granted one or more early feoffments in Larden.' More was the name of a family of some importance here, who gave it to 'Moor House' (*Id.* iii. 306–310).

'Et quod Willelmus Chylde fuit seisitus in dominico suo vt de feodo de viginti acris terre arrabilis in posenall in Comitatu predicto & sic inde seisitus predictis die & anno predictas viginti acras sepibus & fossis inclusit & illas sic inclusas in pasturam conuertit per quod vnum aratrum deponitur vt supra.'

Posenhall, also a manor of the Priory of Wenlock (Eyton, iii. 287).

'Et quod Johannes Oswold fuit seisitus in dominico suo vt de feodo de xx acris terre arrabilis in Bradley in Comitatu predicto & sic inde seisitus predictis die & anno predictas xx^{ti} acras sepibus & fossis inclusit & in pasturam conuertit per quod vnum aratrum deponitur vt supra.'

Eyton, iii. 284, remarks that 'the Priors of Wenlock seem to have granted no feoffments in this member of their manor of Wenlock.' His researches, however, do not generally go later than the middle of the fourteenth century, and the present entry is some evidence to the contrary. After 1390 Eyton mentions that Bradley was treated as part of the manor of Marsh (cp. Dugdale, 'Monast.' v. 81).

'Et quod Robertus Bentall eodem anno inclusit viginti acras terre arrabilis in Bentall per quod vnum aratrum deponitur, vt supra.'

The recital shows this to have been a tenant of the manor part of the same manor of Marsh (Eyton, iii. 284).

'Et quod Johannes Dalley eodem anno inclusit xx acras terre arrabilis in Bore Assheley per quod vnum aratrum deponitur, vt supra.'

Bore Assheley, *i.e.* Broseley, or Burwardesley. 'Idem prior tenet tertiam partem manerii de Bourgwardesle' (Dugdale, 'Monast.' v. 78).

When the Inquisitions of Hundreds were taken in 1255 all the manors in the liberty of Wenlock were stated to be held under the Prior (Eyton, iii. 241). It may be taken that this incloser was also a tenant of the manor.

The mention of the putting down of a plough indicates conversion to pasture, as in the last case.

'Et quod Johannes lawley eodem anno inclusit viginti acras terre arrabilis in Brocton per quod vnum aratrum deponitur vt supra.'

This manor seems to have been in lay hands (Eyton, iv. 109–113).

'Et quod Ricardus Madok eodem anno inclusit xx acras terre arrabilis in longfelde per quod vnum aratrum deponitur, vt supra.'

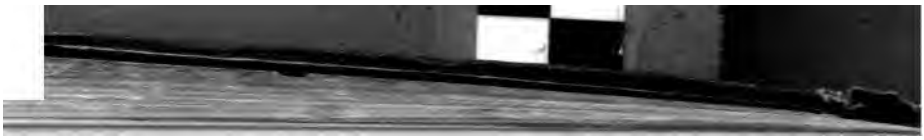
Longfelde or Cheney Longville, in the parish of Eaton in the liberty of Wenlock. A manor of the family of Cheney (Eyton, xi. 369–375).

'Et quod Ricardus lee eodem anno inclusit xx acras terre arrabilis in Astwall per quod vnum aratrum deponitur, vt supra.'

A lay manor (Eyton, iii. 18).

'Et quod Roulandus Jenkes eodem anno inclusit viginti acras terre arrabilis in Wallerton per quod vnum aratrum deponitur, vt supra.'

Wallerton, *i.e.* Walton, a manor of the Prior of Wenlock (Eyton, iii. 283).



P. 65.—HUNDRED DE FFORD

'Presentatum fuit eciam coram prefatis commissionariis die & anno predictis Quod Thomas leyghton fuit seisitus in dominico suo vt de feodo de sex acris terre arrabilis & culture vsitate in Carston in Comitatu predicto & sic inde seisitus primo die maii anno regni Regis henrici viij^{ul} sexto predictas sex acras imparcauit siue cum quadam pala inclusit & illas sic inclusas pro feris nutriendis custodit.'

Sir Thomas Leyghton frequently occurs in commissions of the peace for Shropshire, and he was one of the Commissioners of this Inquisition (p. 310, *supra*). The present incloser was presumably lord of the manor, and as the inclosure was only of six acres it may be inferred that a park already existed, to which this was an addition. I incline to the belief that this was the Commissioner, notwithstanding the omission of 'miles' after his name (cp. *sub* Dene, p. 331, *infra*, with the next entry).

'Et quod Willelmus mitton fuit seisitus in dominico suo vt de feodo de xij acris terre arrabilis & culture vsitate in haburley in Comitatu predicto & sic inde seisitus predictas [*sic!*] die & anno predictas xij acras sepibus & fossis inclusit & illas sic inclusas in pasturam animalium conuertit.

'Et quod Thomas Cornwell fuit seisitus in dominico suo vt de feodo de viginti acris terre arrabilis & culture vsitate in Dene in Comitatu predicto & sic inde seisitus primo die augustii [*sic*] anno regni Regis henrici septimi xxj predictas viginti acras imparcauit siue cum quadam pala inclusit & illas sic inclusas pro feris nutriendis custodit.'

I have not been able to identify this place.

I suspect T. C. to be Sir Thomas Cornwall of Burford, himself one of the Commissioners (p. 310, *supra*; see also p. 331, *infra*).

As the park would probably be formed out of the wastes of the manor, the inference is that the incloser was lord of the manor, as in the case following.

HUNDRED DE BRYMSTRE

'Presentatum fuit Insuper coram prefatis Commissionariis die & anno supradictis quod Georgius Comes Salopie fuit

seisitus in dominico suo vt de feodo de xxx acris terre arrabilis & cultui vsitate in Shuffenall in Comitatu predicto. Et sic seisitus tercio die maii anno primo Regis henrici viij^{ui} predictas xxx acras imparcauit siue cum quadam pala inclusit & illas sic inclusas pro feris nutriendis custodit.'

George Talbot, Earl of Shrewsbury, lord of the manor of Shifnal (Hulbert, p. 170).

An example of the impartiality of the Commissioners, the Earl being Lord Steward, and holding other important posts (see Trans. R. H. S. 1892, p. 179).

'Et quod henricus ffowler fuit seisitus in dominico suo vt de feodo de xx acris terre arrabilis & cultui vsitate in Sutton in Comitatu predicto & sic inde seisitus quarto die marcii anno predicto predictas xx acras sepibus & ffossis inclusit & illas sic inclusas in pasturam conuertit per quod vnum aratrum deponitur & sex persone que ibidem occupare solebant ea occasione a tenuris suis recesserunt & in otium perducti sunt.'

Sutton, *i.e.* Sutton Maddock.

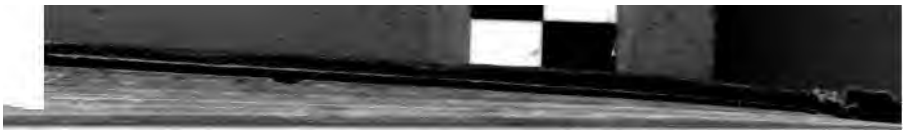
'Quarto die marcii anno predicto.' The 'annus predictus' was the 1st of Henry VIII., May 3. This would be 1509, Henry's first year having begun on April 22 (Bond's 'Handy Book for Verifying Dates,' p. 394). The 4th March of the 1st Henry VIII. would therefore be March 4, 1510.

'Et quod Thomas ffowler fuit seisitus in dominico suo vt de feodo de xx acris terre arrabilis & cultui vsitate in Brocton in Comitatu predicto & sic inde seisitus predictis die & anno predictas xx acras sepibus & ffossis inclusit & illas sic inclusas in pasturam conuertit per quod vnum aratrum deponitur vt supra.'

Brocton, near Sutton Maddock.

P. 66.[1]—'Et quod Robertus Morton fuit seisitus in dominico suo vt de feodo de xxx acris terre arrabilis & cultui vsitate in knoll in Comitatu predicto & sic inde seisitus predicto die & anno predictas xxx acras sepibus & ffossis inclusit

[1] At the top of this page the above entry of 'henricus ffowler' is recopied, but struck out, with a note in the margin 'Vacat quia antea.'



& illas sic inclusas in pasturam conuertit per quod vnum aratrum deponitur vt supra.'

Knoll, *i.e.* Knowl, near Shifnal (Eyton, ii. 317).

HUNDRED DE BRADFORD

'Presentatum fuit eciam per eandem Inquisicionem coram prefatis Commissionariis die & anno predictis Quod Johannes Cotes fuit seisitus in dominico suo vt de feodo de xii acris terre arrabilis & cultui vsitate in Wodcote in Comitatu predicto. Et sic inde seisitus tercio die augusti anno primo Regis henrici viij^{ui} predictas xij acras imparcauit siue cum quadam pala inclusit & illas sic inclusas pro feris nutriendis custodit.'

I.e. an inclosure by the lord of the manor (see *sub* Dene, p. 322, *supra*).

'Et quod Thomas Sowdeley fuit seisitus in dominico suo vt de feodo de xx acris terre arrabilis & cultui vsitate in Soudley in Comitatu predicto. Et sic inde seisitus predicto die & anno predictas xx acras sepibus & ffossis inclusit & illas inclusas in pasturam conuertit per quod duo aratra deponuntur & octo persone que ibidem occupare solebant ea occasione a tenuris suis recesserunt & iam in otium perducti sunt.'

Not, apparently, the name of the lord of the manor of Sudeley (Eyton, x. 36).

'A tenuris suis' implies two houses, corresponding to the two aratra (cp. *sub* Lebot wode, p. 330, *infra*).

'Et quod Johannes Phileppes fuit seisitus in dominico suo vt de feodo de xxiiij acris terre arrabilis & cultui vsitate in Byrcote in Comitatu predicto. Et sic inde seisitus primo die Julii anno iiij^{to} Regis henrici viij^{ui} predictas xxiiij^{or} acras sepibus & ffossis inclusit & illas sic inclusas in pasturam conuertit per quod vnum aratrum deponitur & sex persone que ibidem occupare solebant ea occasione a tenuris suis recesserunt & iam ociosi existunt.'

Burcot, in the manor of Wrockwardine (Eyton, ix. 26, 30).

'Et quod Johannes Steynton fuit seisitus in dominico suo vt de feodo de xviij acris terre arrabilis & culture vsitate in

Lawley in Comitatu predicto. Et sic seisitus predictis die & anno predictas xviij acras sepibus & fossis inclusit & illas sic inclusas in pasturam conuertit per quod vnum aratrum deponitur vt supra.'

For this family, which held considerable property at Lawley under the manor of Eyton, see Eyton, viii. 38 etc.

HUNDRED DE PYMHYLL

'Presentatum fuit Insuper per eandem Inquisicionem coram prefatis Commissionariis die & anno supradictis Quod petrus Newton fuit seisitus in dominico suo vt de feodo de xl^ta^ acris terre arrabilis & culture vsitate in potton in Comitatu predicto. Et sic inde seisitus primo die Junii[1] anno xx Regis henrici vij^mi^ predictas xl acras imparcauit siue cum quadam pala inclusit & illas sic inclusas pro feris nutriendis custodit.'

Potton, probably a copyist's blunder for Petton.

It is to be noted that no evictions are recorded, which on this area suggests that the inclosure was of the waste or of the demesne lands of the manor. See *sub* 'Brystwyke,' Trans. R. H. S. 1893, p. 246.

P. 67.—'Et quod Robertus Thornes fuit seisitus in dominico suo vt de feodo de xx acris terre arrabilis & culture vsitate & apte in Boorch in Comitatu predicto & sic inde seisitus predictis die & anno predictas xx acras sepibus & ffossis inclusit & illas sic inclusas in pasturam conuertit per quod vnum aratrum deponitur & sex persone que ibidem occupare solebant ea occasione recesserunt a tenuris suis & iam vagabundi existunt.'

Boorch, *i.e.* Birch, in the manor of Baschurch (Eyton, x. 137).

'Et quod Ricardus Broun & Rogerus Twyford fuerunt seisiti in dominico suo vt de feodo de xl acris terre arrabilis & culture vsitate & apte in mylford in Comitatu predicto & sic inde seisiti xij^mo^ die Julii anno primo Regis henrici viij^ui^ predictas xl acras sepibus & ffossis incluserunt & illas sic

[1] 'Julii' struck out.

inclusas in pasturam animalium conuerterunt per quod duo aratra deponuntur & xij persone que ibidem occupare solebant ea occasione a tenuris & mansionibus suis recessserunt & in otium perducti sunt.'

These inclosers were freeholders, but apparently the manor of Mylford belonged to Haughmond Abbey (Eyton, x. 101), and it is curious that the word 'mansio' is used (see note on Purslowe, p. 312, *supra*).

HUNDRED DE MOUNSLOWE

'Presentatum fuit eciam per eandem Inquisicionem coram prefatis commissionariis die & anno supradictis Quod Georgius Comes Salopie fuit seisitus in dominico suo vt de feodo de xl acris terre arrabilis & culture vsitate in Corffam in Comitatu predicto. Et sic inde seisitus primo die Julii anno tercio Regis henrici viij^{ti} predictas xl acras sepibus & fossis inclusit & illas sic inclusas a cultura & iconomia in pasturam animalium conuertit per quod duo aratra deponuntur & xij persone que ibidem occupare solebant a tenuris suis ea occasione recesserunt & in otium perducti sunt.'

On 'Georgius comes Salopie' see *sub* Shuffenall, p. 323, *supra*.

'Iconomia' seems here used as equivalent to 'cultura.'

It does not appear whether the Earl was lord of the manor of Corfham.

'Et quod Thomas Vernon fuit seisitus in dominico suo vt de feodo de xl acris terre arrabilis & cultui vsitate in Dounton in Comitatu predicto. Et sic inde seisitus predictis die & anno predictas xl acras sepibus & fossis inclusit & illas sic inclusas in pasturam animalium conuertit per quod duo aratra deponuntur & xij persone vt supra.

'Et quod Johannes Acton fuit seisitus in dominico suo vt de feodo de xx acris terre arrabilis in Weyve in Comitatu predicto & sic inde seisitus quarto die aprilis anno xx^{mo} Regis henrici septimi predictas xx^{ti} acras sepibus & fossis inclusit & illas sic inclusas in pasturam animalium conuertit per quod vnum aratrum deponitur & sex persone vt supra.'

Qu. 'Weyve.'

'Et quod Johanna Ludlowe vidua fuit seisita in dominico suo vt de feodo de xx acris terre arrabilis in henley in Comitatu predicto & sic inde seisita predictis die & anno predictas xx acras sepibus & ffossis inclusit & illas sic inclusas in pasturam conuertit per quod vnum aratrum deponitur vt supra.'

'Et quod Ricardus Rudde fuit seisitus in dominico suo vt de feodo de xx acris terre arrabilis in Alcunston in Comitatu predicto & sic inde seisitus predictis die & anno predictas xx acras sepibus inclusit & in pasturam conuertit per quod vnum aratrum deponitur vt supra.'

Alcunston, *i.e.* Alcaston.

'Et quod Willelmus Barker fuit seisitus in dominico suo vt de feodo de xx acris terre arrabilis in Midlop in Comitatu predicto & sic seisitus die & anno predictis eas inclusit & in pasturam conuertit per quod vnum aratrum deponitur vt supra.'

Middlinghope, called also Millinghope, Milinchope, Midlechope, Millichope, &c.

The two manors of Upper and Lower Millichope belonged to the Priory of Wenlock (Eyton, iv. 2–4).

P. 68.—'Et quod Willelmus Rageden eodem anno inclusit xx acras in Ston Acton per quod vnum aratrum deponitur vt supra.

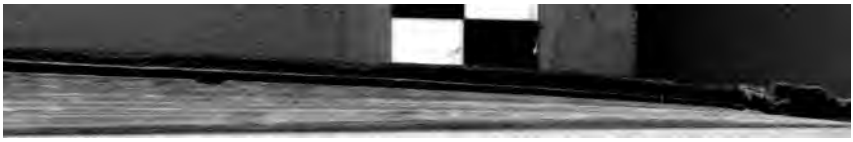
'Et quod Johanna Gowres eodem anno inclusit xx acras terre arrabilis ibidem per quod vnum aratrum deponitur vt supra.

'Et quod Abbas de Hamond eodem anno inclusit xx acras terre arrabilis in longstanton per quod vnum aratrum deponitur vt supra.'

The Abbey of Haughmond owned land here (Eyton, iv. 34).

'Et quod Thomas Laken eodem anno inclusit xx acras terre arrabilis in Gretton per quod vnum aratrum deponitur vt supra.

'Et quod humfridus Wolrich eodem anno imparcauit



siue cum quadam pala inclusit xl acras terre arrabilis in Dutmaston pro feris nutriendis per quod vnum aratrum deponitur vt supra.'

Dutmaston, Dodemanestun temp. Henry I. (Eyton, iii. 186). Now Dudmaston.

Presumably an inclosure by the lord of the manor (see *sub* Dene, p. 322, *supra*). It is, however, to be noticed that he is not described as 'seisitus in dominico suo vt de feodo.' But neither is T. Cresset of Upton Cresset, *infra*.

'Et quod Thomas Blount eodem anno imparcauit sex acras terre arrabilis pro feris nutriendis.'

It is doubtful whether this entry refers to Dutmaston, for 'ibidem' is omitted. The name has probably been left out by the transcriber's carelessness.

'Et quod Thomas Cresset eodem anno imparcauit xl acras terre arrabilis in Vpton pro feris nutriendis.'

Upton, *i.e.* Upton Cresset. The name and the character of the inclosure are both indications that the incloser was lord of the manor. But his tenure is not recited (see *sub* Dutmaston, *supra*).

'Et quod Willelmus ffermour eodem anno inclusit xx acras terre arrabilis in Ebdon Burnell per quod vnum aratrum deponitur & pro deposicione cuiuslibet aratri sex persone vt supra.'

Ebdon Burnell, *i.e.* Abdon, which received the addition Burnell from Robert Burnell, Bishop of Bath and Wells, who acquired it in the thirteenth century (Eyton, iv. 130).

Hundred de Coundor

'Presentatum fuit Insuper per dictam Inquisicionem coram prefatis Commissionariis die & anno predictis Quod Edwardus Acton fuit seisitus in dominico suo vt de feodo de vno messuagio & xx acris terre arrabilis in longnore in Comitatu predicto. Et sic seisitus primo die maii anno quarto Regis henrici viij^{ti} messuagium & terram sepibus inclusit & in pasturam animalium conuertit per quod vnum

aratrum deponitur & sex persone que ibidem occupare solebant ea occasione a tenuris suis recesserunt et in otium perducti sunt.'

The family of Acton were freeholders in Longnor (Eyton, vi. 67).

This entry is in another hand. The Commissioners divided their body into sub-commissions, and this accounts for the dissimilar forms of the entries. Nothing is said about putting down or destroying the messuage, but I infer from the phrase 'a tenuris suis' that the six persons were evicted, and the house perhaps suffered to remain empty, a practice against which the statute of 1488 had been directed (see Introduction, Trans. R. H. S. 1892, p. 172).

'Et quod matilda Corbett fuit seisita in dominico suo ut de feodo de vno messuagio & xl^ta^ acris terre arrabilis in longnore predicto & sic seisita predictis die & anno messuagium & terram predictam sepibus inclusit & in pasturam conuertit per quod vnum aratrum deponitur et sex persone vt supra.

'Et quod Johannes Gatacre fuit seisitus in dominico suo vt de feodo de xl acris terre arrabilis in magna lethe in Comitatu predicto & sic seisitus die & anno predictis predictas xl acras sepibus inclusit & in pasturam animalium conuertit per quod vnum aratrum deponitur vt supra.'

Magna Lethe, qu. Hughley, a manor of the Priory of Wenlock in this hundred. The family of Gatacre held land here (see Eyton, vi. 307). Hughley was called Legh (*ibid.* 90).

'Et quod Georgius pousebury eodem anno inclusit xv acras terre arrabilis ibidem.'

P. 69.—'Et quod Thomas lakyn fuit seisitus in dominico suo vt de feodo de octoginta acris terre arrabilis in Kenles in Comitatu predicto & sic inde seisitus predicto die & anno eas sepibus inclusit & in pasturam conuertit per quod quatuor aratra deponuntur vt supra.'

Kenles, *i.e.* Kenley.

'Et quod Thomas Dux Norffolcie eodem anno inclusit xl

acras terre arrabilis in Belswardyn in Comitatu predicto per quod vnum aratrum deponitur vt supra.'

I.e. Thomas Howard, created Duke of Norfolk after the Battle of Flodden, in February 1514. See Introd., Trans. R. H. S. 1892, p. 180.

It does not appear who held the lordship of the manor.

'Et quod Johanna Blyke vidua eodem anno inclusit xxv acras terre arrabilis in Counde in Comitatu predicto per quod vnum aratrum deponitur vt supra.

'Et quod Rector Enlie de Wolstaston inclusit tres acras terre arrabilis ibidem.'

Qu. 'Rector.'

'Et quod Thomas Bowdeler eodem anno inclusit xiiij acras terre ibidem.'

In 1311 William le Boudler had been a tenant of the manor (Eyton, vi. 156).

'Et quod Abbas de hamond eodem anno inclusit xx acras terre arrabilis in lebot wode & easdem a cultura in pasturam conuertit. Et pro deposicione cuiuslibet aratri sex persone que cum eisdem occupari solebant a tenuris & mansionibus suis ea occasione recesserunt & in otium perducti sunt.'

Lebot wode, *i.e.* Lee Botwood.

The Abbots of Haughmond were lords of the manor (Eyton, vi. 244–9).

From the language of the entry it must be inferred that the aratrum here was of ten acres only, as in Soudeley, p. 324, *supra*.

'Mansionibus.' Note this word on ecclesiastical property, (see *sub* Boculton and Purslowe, p. 312, *supra*, and Choysell, Norfolk).

'Presentatum fuit eciam eisdem die & anno coram prefatis Commissionariis Quod Thomas Cornewall miles in anno xxij^{do} Regis henrici septimi augmentauit parcum suum apud Deen in Comitatu predicto cum sex acris bosci & xiiij^{clm} acris terre arrabilis de suis terris dominicalibus ibidem Et quod nulla caruca nec ullum edificium sunt in

decasu nec in ruina racione augmentacionis siue inclusure predicte.'

No evictions, the inclosures being on the demesne lands (see note on Brystwyke, Yorkshire, W.R., Trans. R. H. S. 1893, p. 246).

Deen: qu. copyist's blunder for Preen; *i.e.* Church Preen in the hundred of Condover.

If this is really 'Deen' it bears a suspicious resemblance to the entry on p. 322, *supra*, under the name Dene. The name of the place is the same; the area inclosed, the incloser, and the object of the inclosure are all the same. As there is no putting down of a plough, nor eviction of tenants here, so neither is there in that case. These remarkable coincidences point to the identity of these two inclosures, but if they refer to the same act of inclosure the entry here, under the Hundred of Coundor, is out of place. On the assumption of identity the recurrence of the entry suggests either (1) that Sir Thomas Cornwall as a Commissioner was dissatisfied with the former entry as too meagre, and ordered this to be substituted, setting forth the absence of evictions, etc. in his proceedings; an order but half carried out; or (2) that the Shropshire Inquisition resembles the Berkshire Inquisition in being an abbreviated record; that the inclosure at Deen, or Dene, was contained upon a slip of parchment which was afterwards misplaced, and that being so misplaced it fell into the hands of another clerk, who abbreviated it after another fashion, the whole original more nearly resembling this last entry. The argument against this is that this entry refers to an inclosure of the twenty-second year of Henry VII., the former to one of the twenty-first year, and this last entry expressly records the inclosure to have been an augmentation of a previously existing park.

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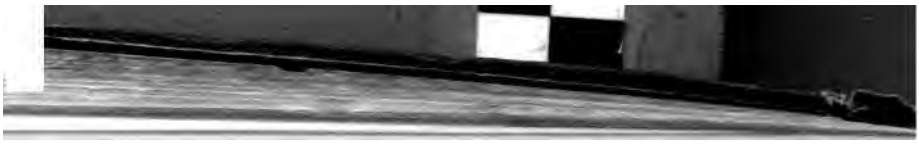

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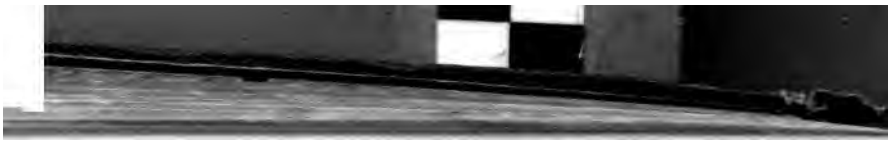

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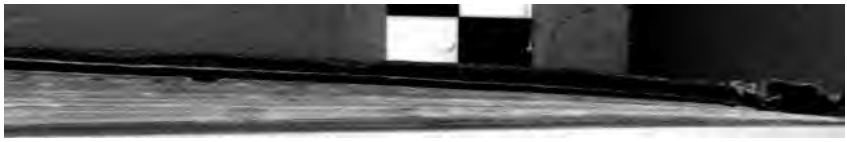

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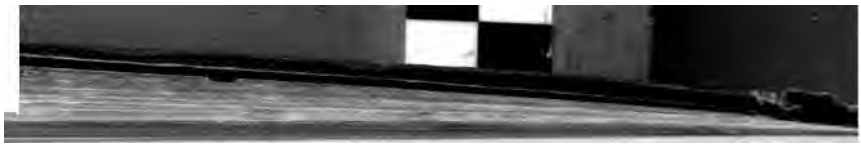

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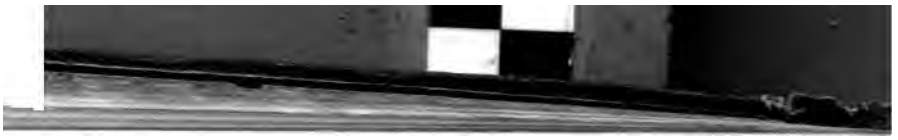

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January 18, 1894

REPORT OF THE COUNCIL.

SESSION 1892–93.

THE Council of the Royal Historical Society present to the General Meeting of the Fellows their Annual Report, from which it will appear that the high standard of the literary work of the Society has been well maintained during the past Session, in the course of which the following Papers were read :—

Nov. 17. 'The Druids of Ireland.' By Professor Julius Von Pflugk Harttung, of Berlin (Translated from the German).

Dec. 15. 'Notes on the Family of Betoun, in connection with some Royal Letters of James VI.' By Henry Elliot Malden, F.R. Hist. S.

'Strafford in the Star Chamber. By Hubert Hall, F.S.A.

1893.

Jan. 19. 'The Custom of London with regard to Apprenticeship.' By the Rev. Professor W. Cunningham, D.D.

Mar. 15. 'The Magyar County.' A Study in the Comparative History of Municipal Institutions. By Emil Reich, Dr. Juris., F.R. Hist. S.

Apr. 20. 'The Anglo-Russian Convention of 22 June, 1799.' By Hubert Hall, F.S.A.

'The laws of the Mercers Company of Lichfield.' Communicated and transcribed from the original MS. by W. H. Russell. With an introduction by the Rev. Prof. Cunningham, D.D.

May. 18. 'On the Instituta Cnuti Aliorumque Regum Anglorum.' By Dr. F. Liebermann, Corresponding Fellow of the Royal Historical Society.

'Pilgrimages.' by Geo. Hurst, J.P., F.R. Hist. S.

'The Inquisition of 1517. Inclosures and Evictions.' Parts 2 and 3. Edited from the Lansdowne MS., I. 153. By I. S. Leadam, M.A.

Six of the above Papers have been published in the volume of the Society's Transactions for 1892–3, and it will be observed that a considerable space has been devoted to the second part of Mr. I. S. Leadam's valuable and exhaustive edition of the great Inquisition of 1517, the publication of which by the Society has already thrown much light upon one of the most obscure social problems of the Tudor period. The portion of the text contained in the present volume includes the returns for the counties of Norfolk, Yorks, Hereford, Stafford, Hants, and the Isle of Wight. The text of the remaining counties will appear in the third and concluding instalment of Mr. Leadam's Paper in the next volume of the Transactions.

Another Paper of great importance to Students is the translation (prepared by the Author himself) of Dr. Liebermann's critical description of the text of the famous English law book which will henceforth be known as the *Instituta Cnuti*.

The two volumes of publications referred to in the last Report of the Council are still in progress, and that dealing with the papers relating to the Secret Service under George III., edited by Mr. B. F. Stevens, is expected to be issued shortly.

The work of arranging, cataloguing, and rebinding the Society's Library at 115 St. Martin's Lane, has made satisfactory progress.

The Council append to their Report an amended Prospectus of the objects of the Society, with other official information.

During the Session thirty Fellows have been elected. The following list shows the number of Fellows on the Roll:

	Oct. 31, 1893.
Ordinary Fellows	398
Life do.	94
Ex-officio do.	1
Honorary do.	55
Corresponding do.	24
Total	572

The following Fellows died during the past Session: H. Mc.L. Backler, Rev. J. H. Davies, Rev. G. Edwards, H. Haines, J. Hawkins, W. Herbage, Lt.-Col. E. Lloyd, Rev. C. M. McNiven, J. Rusby, F. K. J. Shenton, J. St. Clair, H. Taine, F. Walker, Rev. R. C. Waterston, and W. Winters. Of the above Messrs. Herbert Haines, W. Herbage and F. K. J. Shenton were Members of the Council; and Mr. Herbage had for many years successfully filled the post of Treasurer to the Society, in addition to having, in a serious emergency, most kindly consented to discharge the duties of Honorary Secretary.

Mr. Shenton also was one of the oldest members of the Council, and rendered invaluable service to the Society in connection with the Finance and Library Committees.

The Society has also sustained a severe loss by the death of M. H. Taine, the distinguished French historian, who was one of its Corresponding Fellows.

The Council append a statement of the financial position of the Society from November 1, 1892, to October 31, 1893.

TREASURER'S ACCOUNT OF RECEIPTS AND PAYMENTS.

A Summary of all Moneys Received and Paid by him on behalf of the Society from November 1, 1892, to October 31, 1893.

	£	s.	d.
Balance	197	19	8
Annual Subscriptions	570	1	0
Five Life Compositions	105	0	0
Publishers' Account: Publications sold	13	19	8
	£887	0	4

	£	s.	d.
Rent	66	5	0
Spottiswoode & Co.	219	13	9
Director	50	0	0
,, (Copyists)	6	12	3
Librarian	10	10	0
Secretary	150	0	0
Clerk	25	0	0
F. Algar	5	11	6
Whitehead & Co.	1	8	6
Societies	8	5	0
J. Y. W. MacAlister (refreshments, 2 years')	23	17	0
Petty Expenditure	27	2	1
Bank Postages	1	1	0
Proportion of Life Compositions transferred to Capital Acct.	70	0	0
Subscriptions (twice paid) refunded	4	4	0
Prince & Baugh	5	18	6
Miss Schmitz	5	5	0
H. Soane	4	15	0
J. W. Prestridge	1	1	0
Balance	200	10	9
	£887	0	4

Examined and found correct.

(Signed) R. DUPPA LLOYD,
J. FOSTER PALMER,
B. F. STEVENS,
Auditors.

9th January, 1894.

CAPITAL ACCOUNT.

Oct. 31, 1892.	£	s.	d.	Oct. 31, 1893.	£	s.	d.
Balance . . .	328	9	3				
Two-thirds of Five Life Compositions . .	70	0	0	Balance . . .	404	6	0
Interest . . .	5	16	9				
	£404	6	0		£404	6	0

A letter from the Society's Bankers was produced to us, certifying to the fact that on the 31st October, 1893, there was £404. 6*s.* to the credit of the Society's Capital Account.

(Signed) R. DUPPA LLOYD,
J. FOSTER PALMER,
B. F. STEVENS } *Auditors.*

9th January, 1894.

The Auditors appointed to examine the Society's Accounts report:

We have compared the entries in the books with the vouchers from November 1, 1892, to October 31, 1893, and find them correct, showing the receipts to have been £887. 0*s.* 4*d.*, and the payments (including £70 transferred to the Capital Account) £686. 9*s.* 7*d.*, leaving a balance on October 31, 1893, of £200. 10*s.* 9*d.* in favour of the Society.

(Signed) R. DUPPA LLOYD,
J. FOSTER PALMER,
B. F. STEVENS, } *Auditors.*

9th January, 1894.

Lastly, the Council append the Treasurer's Financial Statement of the Assets and Liabilities of the Society on October 31, 1893.

FINANCIAL STATEMENT OF ASSETS AND LIABILITIES ON OCTOBER 31, 1893.

Oct. 31, 1893.	£	s.	d.	Oct. 31, 1893.	£	s.	d.
Balance on Revenue Account . . .	200	10	9	Balance in favour of the Society . . .	331	4	2
Outstanding Subscriptions: Estimated recoverable.	105	0	0				
Balance of Publishers' Account . . .	25	13	5				
	£331	4	2		£331	4	2

9th January, 1894.

R. HOVENDEN,
Treasurer.

By Order of the Council.

(Signed) M. E. GRANT DUFF, *President.*
OSCAR BROWNING, *Chairman.*
P. EDWARD DOVE, *Secretary.*

Royal Historical Society

(INCORPORATED BY ROYAL CHARTER).

PATRON:
HER MAJESTY THE QUEEN.

PRESIDENT:
THE RIGHT HON. SIR M. E. GRANT DUFF, G.C.S.I.

I. The Historical Society was founded in 1868, by the then Archbishop of York, the late Earl Russell, the late George Grote, the late Dean of Westminster, Sir John Lubbock, Bart., the Earl of Selborne (then Sir Roundell Palmer), and other eminent men of the day, its main objects being to promote and foster the study of History, by assisting in the publication of rare and valuable documents, and by the publication from time to time of volumes of Transactions and Publications.

II. In 1872 the Society, through the Secretary of State (The Right Hon. H. A. Bruce, now Lord Aberdare, G.C.B., for many years President of the Society), received the official permission of Her Majesty the Queen to adopt the title Royal Historical Society; and in 1889 Her Majesty was pleased to cause Letters Patent, dated July 31, to be passed under the Great Seal, granting to the Society Her Majesty's Royal Charter of Incorporation.

III. The Society consists of Fellows and Honorary Fellows and Corresponding Members, forming together a body, at the present time, of nearly six hundred Members.

The principal States of Europe and America, British India, and the Colonies are represented by Honorary or Corresponding Fellows.

IV. The Annual Subscription to the Society is *Two Guineas;* and at present there is no entrance fee. Fellows may, on joining the Society, or afterwards, compound for all future subscriptions upon the payment of *Twenty Guineas.*

V. The Fellows of the Society receive gratuitously a copy of each of the Society's Transactions and Publications during the period of their subscription.

The annual Publications of the Society will, in future, include a substantial volume of Transactions containing selected Papers read at the Society's Evening Meetings, together with the most valuable of the original documents which may be communicated to the Society from time to time by historical scholars, the President's Address, and a brief Summary of the Progress of Historical Research during the past Session. In addition to this, the Council are hopeful of being able to ensure the regular production of a uniform series of Publications dealing with the unpublished State Papers preserved in the national Archives.

The Society is now engaged in the publication of two important volumes dealing with the domestic, colonial, and foreign State Papers of the Reign of George III., which will shortly be issued to the Fellows.

VI. The Rooms of the Society are at 20 Hanover Square, where Meetings for the reading of Papers and discussions thereon are held from November to June, on the *third* Thursday in each month, at 8.30 P.M.

VII. The Library of the Society is deposited at 115 St. Martin's Lane, W.C. Donations of Historical

books and documents will be received and acknowledged by the Librarian. All parcels should be marked "Royal Historical Society." It is hoped that all Fellows of the Society who publish Historical works will present copies to the Library.

VIII. The Royal Historical Society, being incorporated, is now in a position to receive and benefit by legacies. The means of usefulness of many corporations has been largely increased by the bequests of its members; and it is hoped that the income of the Society may eventually be supplemented from this source.

IX. All literary communications, proposals for Papers to be read before the Society, or Historical documents or relics to be exhibited at the ordinary Meetings, should be addressed to the Director,

HUBERT HALL, F.S.A.
3 Staple Inn, W.C.

All communications respecting the Library should be addressed to the Librarian,

THOMAS MASON,
115 St. Martin's Lane, W.C.

All subscriptions, unless paid by Banker's Order, should be sent to the Treasurer,

R. HOVENDEN, F.S.A.
Heathcote,
Park Hill Road,
Croydon.

Communications on all other subjects should be addressed to the Secretary,

P. EDWARD DOVE,
11 Stone Buildings,
Lincoln's Inn, W.C.

Royal Historical Society.

(INCORPORATED BY ROYAL CHARTER.)

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